

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE NORTHERN DISTRICT OF OHIO  
3                   EASTERN DIVISION

4           IN RE: NATIONAL                   :   MDL No. 2804  
5           PRESCRIPTION OPIATE           :     
6           LITIGATION                   :   Case No. 17-md-2804  
7           APPLIES TO ALL CASES       :     
8           :     
9           :   

10   HIGHLY CONFIDENTIAL

11   SUBJECT TO FURTHER CONFIDENTIALITY REVIEW

12   - - - - -

13   JANUARY 18, 2019

14   - - - - -

15   VIDEOTAPED DEPOSITION OF MICHAEL BIANCO,  
16   taken pursuant to notice, was held at Marcus &  
17   Shapira, One Oxford Center, 35th Floor, Pittsburgh,  
18   Pennsylvania 15219, by and before Ann Medis,  
19   Registered Professional Reporter and Notary Public in  
20   and for the Commonwealth of Pennsylvania, on Friday,  
21   January 18, 2019, commencing at 9:07 a.m.

22   - - - - -

23   GOLKOW LITIGATION SERVICES  
24   877.370.3377 ph | 917.591.5672 fax  
25   deps@golkow.com

1 A P P E A R A N C E S

2 On behalf of Plaintiffs

3 WAGSTAFF & CARTMELL, LLP  
4 BY: TYLER HUDSON, ESQUIRE  
5 AND THOMAS SIDLINGER, ESQUIRE  
6 4740 Grand Avenue, Suite 300  
7 Kansas City, Missouri 64112  
8 816.701.1100  
9 thudson@wcllp.com  
tsidlinger@wcllp.com

10 On behalf of Defendant AmerisourceBergen Drug  
11 Corporation

12 (By Phone/Livestream)  
13 JACKSON KELLY, LLP  
14 BY: ANDREW N. SCHOCK ESQUIRE  
15 50 South Main Street, Suite 201  
16 Akron, Ohio 44308  
17 330.252.9078  
18 anschock@jacksonkelly.com

19 On behalf of Defendant Cardinal Health, Inc.

20 PIETRAGALLO GORDON ALFANO BOSICK &  
RASPANTI, LLP  
21 BY: JOHN A. SCHWAB, ESQUIRE  
One Oxford Centre, 38th Floor  
301 Grant Street  
22 Pittsburgh, Pennsylvania 15219  
412.263.2000  
23 jas@pietragallo.com

24 On behalf of Defendants Endo Pharmaceuticals, Endo  
Health Solutions and Par Pharmaceuticals

25 (By Phone/Livestream)  
ARNOLD & PORTER KAYE SCHOLER LLP  
BY: SEAN P. HENNESSY, ESQUIRE  
601 Massachusetts Avenue, NW  
Washington, DC 20001-37453  
202.942.5743  
sean.hennessy@arnoldporter.com

1 A P P E A R A N C E S (Continued)

2 On behalf of Defendant HBC Service Company

3 MARCUS & SHAPIRA, LLP  
4 BY: JOSHUA A. KOBRIN, ESQUIRE  
AND ROBERT M. BARNES, ESQUIRE  
5 One Oxford Centre, 35th Floor  
Pittsburgh, Pennsylvania 15219  
412.471.3490  
6 jkobrin@marcus-shapira.com  
rbarnes@marcus-shapira.com

7

8 On behalf of Defendant McKesson Corporation

9 (By Phone/Livestream)  
10 COVINGTON & BURLING, LLP  
BY: RAJ PAUL, ESQUIRE  
11 One CityCenter  
850 Tenth Street, NW  
Washington, DC 20001-4956  
12 202.662.5807  
rpaul@cov.com

13

14 On behalf of Defendant Walmart

15 (By phone/Livestream)  
16 JONES DAY  
BY: NICOLE LANGSTON, ESQUIRE  
17 77 West Wacker  
Chicago, Illinois 60601  
312.782.3939  
18 nlangston@jonesday.com

19

20 Also present

21 Adam Balenciaga, legal videographer

22

23

24

25

## 1 \* I N D E X \*

2	MICHAEL BIANCO	PAGE
3	EXAMINATION BY MR. HUDSON	8, 191
4	EXAMINATION BY MR. SIDLINGER	163
	EXAMINATION BY MR. KOBRIN	185, 201

5

## 6 \* INDEX OF HBC-BIANCO EXHIBITS \*

7	NO.	DESCRIPTION	PAGE
8	Exhibit 1	Giant Eagle Pharmacy As of February 2015 organizational chart HBC_MDL00002219	28
9	Exhibit 2	Email chain, 9/9/13, from G. Carlson to K. Remas, subject: RE: Controls at HBC HBC_MDL000135002 - 00135024	36
10	Exhibit 3	20131030_Daily_HBC_Controls HBC_MDL00002348	52
11	Exhibit 4	Email, 10/25/13, from L. Wasielak to G. Carlson, et al., subject: Anda/GE Demo Meeting Minutes 131016, attaching Anda GE Meeting Minutes_131016.docx HBC_MDL00135030 - 00135036	52
12	Exhibit 5	Email, 11/11/13, from G. Carlson to M. Bianco, subject: Fw: Controlled Substance Suspicious Monitoring, attaching invite_4469.ics HBC_MDL00136771 - 00136772	56
13	Exhibit 6	Email chain, 12/5/13, from J. Millward to A. Mollica, et al., subject: 2401 HBC_MDL00132815 - 00132816	60
14	Exhibit 7	Email chain, 1/11/14, from G. Carlson to M. Bianco, subject: Fyi FW: Daily HBC Suspicious Purchasing Report - 01/09/14 HBC_MDL00134729	71

## 1 \* INDEX OF HBC-BIANCO EXHIBITS (Continued) \*

2 NO.	3 DESCRIPTION	4 PAGE
5 Exhibit 8	6 Email chain, 1/15/14, from G. Carlson to J. Millward, et al., subject: FW: Qualitest SOM, attaching Wholesaler Questionnaire.docx HBC_MDL00134936 - 00134940	7 87
8 Exhibit 9	9 Email chain, 1/22/14, from J. Millward to G. Carlson, et al., subject: FW: Wholesale Distributor Questionnaire, attaching Wholesale Distributor Questionnaire HBC_MDL00135570 - 0013557	10 89
11 Exhibit 10	12 Qualitest Wholesale Distributor/ Chain Distribution Center Questionnaire ENDO_HSGAC_0000841 - 0000843	13 90
14 Exhibit 11	15 Email chain, 5/9/14, from M. Cullen M. Bianco, subject: FW: Purdue Meeting Request HBC_MDL00154218 - 00154219	16 95
17 Exhibit 12	18 Email, 7/31/14, from E. Brantley to M. Murphy, subject: Giant Eagle ENDO_HSGAC_0017819 - 0017820	19 97
20 Exhibit 13	21 Email, 8/22/14, from M. Murphy to E. Brantley, subject: FW: Qualitest/ Giant Eagle, attaching Risk Evaluation Report by T. Sheller ENDO_HSGAC_0007616 - 0007639	22 97
23 Exhibit 14	24 Email chain, 10/1/14, from M. Bianco to J. Millward, subject: FW: Narcs found in tote HBC_MDL00137363 - 00137364	25 111
26 Exhibit 15	27 Email, 4/9/15, from S. Green to D. Stevens, et al., subject: All policies for VAWD reflected as of 5:00pm today, attaching various policies HBC_MDL00078594 - 00078668	28 134

## 1 \* INDEX OF HBC-BIANCO EXHIBITS (Continued) \*

2 NO.	3 DESCRIPTION	4 PAGE
5 Exhibit 16	6 Invitation from G. Carlson to R. McClune, et al., for Pharmacy 7 Quarterly Meeting on 11/11/14 HBC_MDL00015549 - 00015608	8 151
9 Exhibit 17	10 Email chain, 12/18/13, from G. Carlson to M. Bianco, et al., subject: RE: Hydrocodone APAP/ Elixir/TabConv Progr status HBC_MDL00171642 - 00171645	11 163
12 Exhibit 18	13 Email chain, 5/22/14, from G. Carlson to M. Bianco, subject: Re: CSMP Report: Follow-Up with Account Manager HBC_MDL00135101 - 00135103	14 172
15 Exhibit 19	16 Email chain, 4/18/14, from M. Bianco to G. Carlson, subject: Re: 35 missing tote HBC_MDL00135668 - 00135670	17 179

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1 P R O C E E D I N G S

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3 THE VIDEOGRAPHER: We are now on the  
4 record. My name is Adam Balenciaga. I'm a  
5 videographer retained by Golkow Litigation  
6 Services. Today's date is January 18, 2019, and  
7 the time is 9:07 a.m.

8 This video deposition is being held at  
9 Marcus & Shapira, LLP, One Oxford Centre, 35th  
10 Floor, Pittsburgh, PA 15219, in the matter of  
11 National Prescription Opiate Litigation,  
12 MDL No. 2804, for the United States District Court  
13 for the Northern District of Ohio, Eastern  
14 Division.

15 The deponent is Mike Bianco.

16 All counsel will be noted on the stenographic  
17 record. Will all counsel identify themselves.

18 MR. HUDSON: Ty Hudson and Thomas  
19 Sidlinger of Wagstaff & Cartmell for plaintiffs.

20 MR. SCHWAB: John Schwab on behalf of  
21 Cardinal Health.

22 MR. KOBRIN: Joshua A. Kobrin of Marcus  
23 & Shapira on behalf of HBC Service Company.

24 THE VIDEOGRAPHER: Anyone on the phone?

25 MR. PAUL: This is Raj Paul of Covington

1 & Burling on behalf of McKesson.

2 MS. LANGSTON: This is Nicole Langston  
3 from Jones Day on behalf of Walmart, Inc.

4 MR. HENNESSY: This is Sean Hennessy  
5 from Arnold & Porter on behalf of the Endo and Par  
6 Pharmaceutical defendants.

7 MR. SCHOCK: Andrew Schock of Jackson  
8 Kelly on behalf of AmerisourceBergen Drug  
9 Corporation.

10 THE VIDEOGRAPHER: Anyone else?

11 The court reporter is Ann Medis and will now  
12 swear in the witness.

13 MICHAEL BIANCO,  
14 having been first duly sworn, was examined  
15 and testified as follows:

16 EXAMINATION

17 BY MR. HUDSON:

18 Q. Good morning, sir. Could you please  
19 state your name for the record.

20 A. Mike Bianco.

21 Q. Mr. Bianco, my name is Ty Hudson, and I  
22 represent the plaintiffs here today. I'm going to  
23 be asking you some questions in this deposition.

24 What is your current address? Do you live  
25 here in the Pittsburgh area?

1 A. Yes, sir.

2 Q. And are you currently employed by Giant  
3 Eagle?

4 A. Yes.

5 Q. Have you ever had your deposition taken  
6 before?

7 A. No.

8 Q. Let's just make sure then that we  
9 understand the process before we get going. I'm  
10 going to be asking you questions, and you're going  
11 to be giving answers. Do you understand that?

12 A. Yes.

13 Q. At some point your counsel may put  
14 objections on the record or other counsel may put  
15 objections for the record for the court just to  
16 preserve that. Unless your counsel instructs you  
17 not to answer, can we agree that you'll answer my  
18 questions?

19 A. Yes.

20 Q. You do understand that you're under  
21 oath. Although we're here in an office at a law  
22 firm, it has the same force and effect as if we  
23 were in a courtroom in front of a judge and a  
24 jury. Do you understand that?

25 A. Yes.

1           Q. If you don't understand my question,  
2 will you let me know so I can reframe it?

3           A. Yes.

4           Q. And the flip side of that is, is it fair  
5 that if you do answer my question, it's fair for  
6 me to assume that you did understand it?

7           A. Yes.

8           Q. And you're doing a great job of this,  
9 but we need audible answers rather than head  
10 nodding or other nonverbals. Okay?

11           A. Understood.

12           Q. And then lastly, at any time if you want  
13 to take a break, just let me know and we can go  
14 off the record. All I would ask is that you  
15 answer any question that's pending at the time.

16 Is that fair?

17           A. Yes.

18           Q. Let's just start with your preparation.  
19 What did you do to prepare for this deposition  
20 today?

21           A. I met with counsel yesterday to discuss  
22 the process.

23           Q. About how long was that meeting?

24           A. A few hours, five hours.

25           Q. Did you look at any documents?

1 A. I did.

2 Q. Did those refresh your recollection in  
3 any way?

4 A. Yes.

5 Q. Any particular documents you recall  
6 reviewing that refreshed your recollection?

7 MR. KOBRIN: Objection. I don't want  
8 him talking about particular documents. That's  
9 work product that we selected from the file.

10 MR. HUDSON: You're taking the position  
11 that it's privileged or work product if he  
12 reviewed documents that refreshed his  
13 recollection?

14 MR. KOBRIN: The documents that I put  
15 together I think are privileged, yeah.

16 MR. HUDSON: Are you going to instruct  
17 him not to answer?

18 MR. KOBRIN: I'd rather you not answer  
19 that. Are there any documents that you would cite  
20 that you particularly remember? The answer "yes"  
21 or "no" is fine, but I don't want to get into  
22 specifics. Are there particular documents that  
23 you recall right now that refreshed your  
24 recollection?

25 THE WITNESS: No.

1 BY MR. HUDSON:

2 Q. Let's shift gears and talk about your  
3 education. Where did you attend college?

4 A. Duquesne University.

5 Q. And did you obtain a degree from  
6 Duquesne?

7 A. I did.

8 Q. What was your degree?

9 A. Doctor of pharmacy.

10 Q. When did you graduate from pharmacy  
11 school?

12 A. 2013.

13 Q. And when did you start pharmacy school?

14 A. 2005.

15 Q. And did you work while you attended  
16 pharmacy school?

17 A. I did.

18 Q. And during that time, it looked to me,  
19 and I've looked at your LinkedIn profile, so I'll  
20 try to kind of shortcut this background, but it  
21 looked like for most of the, I guess, 13 years,  
22 from 2005 until the present, you've worked at  
23 Giant Eagle with a couple of exceptions. It looks  
24 like you were at -- you were the director of  
25 orientation of Duquesne; right?

1 A. Correct.

2 Q. And that was from 2008 to 2010?

3 A. Yes.

4 Q. And then it looked like you had about a  
5 five-month stint at HC Pharmacy in 2015.

6 A. Yes.

7 Q. Otherwise -- I guess one other. It  
8 looked like you were a pharmacy intern at a  
9 women's hospital for about a year and a half.

10 A. Correct.

11 Q. But then otherwise, it looked like the  
12 remaining 10 or 11 years were at Giant Eagle.

13 A. Yes.

14 Q. If you could, just walk me through those  
15 jobs that you had at Giant Eagle and what your  
16 responsibilities were.

17 A. Starting from --

18 Q. Starting from 2005.

19 A. I started in 2005 as a pharmacy  
20 technician doing day-to-day technician tasks,  
21 which that would include ringing a register,  
22 counting medication, data entry. And then after  
23 that I was on a --

24 Q. If I could, now you're going to pharmacy  
25 school and working at the same time?

1           A.    Correct.

2           Q.    Go ahead.

3           A.    After that, I was on a software  
4       implementation team where we trained  
5       nonpharmacists, pharmacy staff how to use our  
6       dispensing software. And then my work with Giant  
7       Eagle, then I was on a support desk team where our  
8       pharmacies would call in and ask questions  
9       pertaining to how to use the software.

10           From there I was manager of pharmacy  
11       inventory and vendor relations, which essentially  
12       was maximizing inventory utilization, so turns,  
13       et cetera, with the main focus of reducing shrink,  
14       the unknown loss, or I'm sorry, known loss which  
15       would be expired products.

16           And then after that, I took a reduced  
17       capacity because my school load picked up. And  
18       then from there I was category manager where I  
19       oversaw our sourcing of products for pharmacy.

20           Q.    And is that the role you're still in  
21       today?

22           A.    I'm sorry. No. I apologize. After  
23       that, I went to UPMC. When I came back, now I'm  
24       on what's called the managed care side where we  
25       do -- my main focus is contracting with insurance

1 companies.

2 Q. And you've had that role for a little  
3 more than three years?

4 A. Correct, 2015 I think, end of 2015.

5 Q. Let's go back, if we could, to the first  
6 role that you described, the pharmacy software  
7 implementation team.

8 A. That was the second.

9 Q. Oh, you're right. You were pharmacy  
10 intern for a couple years; right?

11 A. Correct. I think two years, yes.

12 Q. So you're right. The second job then,  
13 the pharmacy software implementation team member,  
14 was that software implementation at the Giant  
15 Eagle retail pharmacies?

16 A. Yes.

17 Q. Did you have any responsibilities  
18 related to the HBC warehouse?

19 A. During?

20 MR. KOBRIN: Object to form.

21 BY MR. HUDSON:

22 Q. Doctor, this time period from 2007 to  
23 2009 when you're dealing with software  
24 implementation.

25 A. When I was dealing with the software,

1 no.

2 Q. At that point in time, from 2007 to  
3 2009, were you aware that Giant Eagle had created  
4 a warehouse?

5 A. Yes.

6 Q. Was that generally known as the HBC  
7 Service Company warehouse or the HBC warehouse?

8 A. I don't recall. I think it was just the  
9 warehouse.

10 Q. Were you aware at that time or did you  
11 become aware at some point that Giant Eagle had  
12 created an operating division or an entity known  
13 as HBC Service Company?

14 MR. KOBIN: Object to form.

15 THE WITNESS: Can you repeat that.

16 BY MR. HUDSON:

17 Q. Sure. At this time in the 2009  
18 timeframe, were you aware that Giant Eagle had  
19 created an operating division or a subsidiary that  
20 was known as HBC Service Company?

21 MR. KOBIN: Object to form.

22 THE WITNESS: When I was -- as a store  
23 technician or intern and then on the pharmacy  
24 team, the software implementation team, I don't  
25 believe I was aware of that.

1 BY MR. HUDSON:

2 Q. Did you become aware of that at some  
3 point in time?

4 A. Yes.

5 Q. Do you have any sort of ballpark  
6 recollection of when that was?

7 A. When I took on the vendor relations,  
8 inventory manager position. So '9, '10. '10 I  
9 think is when I started that.

10 Q. It looks like from your LinkedIn profile  
11 maybe it was in 2011.

12 A. Yes, yeah.

13 Q. So fair to say that in the 2007 to 2009  
14 timeframe, in your role as the pharmacy software  
15 implementation team, did you have any occasion to  
16 visit the warehouse, the HBC warehouse?

17 A. During that time, no.

18 Q. If we jump forward, it looks like as you  
19 discussed, then you came back to Giant Eagle in  
20 2011 on the inventory, focused on inventory?

21 A. I came back originally on the pharmacy  
22 support team, so fielding questions at a technical  
23 help desk.

24 Q. And where was that desk located?

25 A. At our corporate office in Pittsburgh.

1 Q. And then were you promoted into the  
2 manager, pharmacy inventory and vendor income  
3 role?

4 A. Yes.

5 Q. And then I think you indicated at that  
6 time you learned about the HBC operating division.

7 A. Correct.

8 MR. KOBRIN: Object to form.

9 BY MR. HUDSON:

10 Q. And how did you learn of that?

11 A. It would have been part of understanding  
12 how our supply chain worked.

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 Q. At this timeframe from 2011 to 2013, did  
22 you ever visit the HBC warehouse?

23 A. Yes.

24 Q. How many times?

25 A. I believe just once.

1 Q. And why did you visit it?

2 A. Just to see the facility.

3 Q. And at that time were you aware of who  
4 was overseeing that facility?

5 A. Yes.

6 Q. And who was that?

7 A. I believe Christy Hart was.

8 Q. Was there somebody in particular  
9 overseeing the controlled substances portion of  
10 the warehouse?

11 A. I believe Christy was overseeing the  
12 whole warehouse.

13 Q. What about Matt Rogos, is that a name  
14 that is familiar?

15 A. Yes. Matt was -- yes. Matt would have  
16 overseen the warehouse as well. I'm sorry. I  
17 think Christy might have reported in to him.

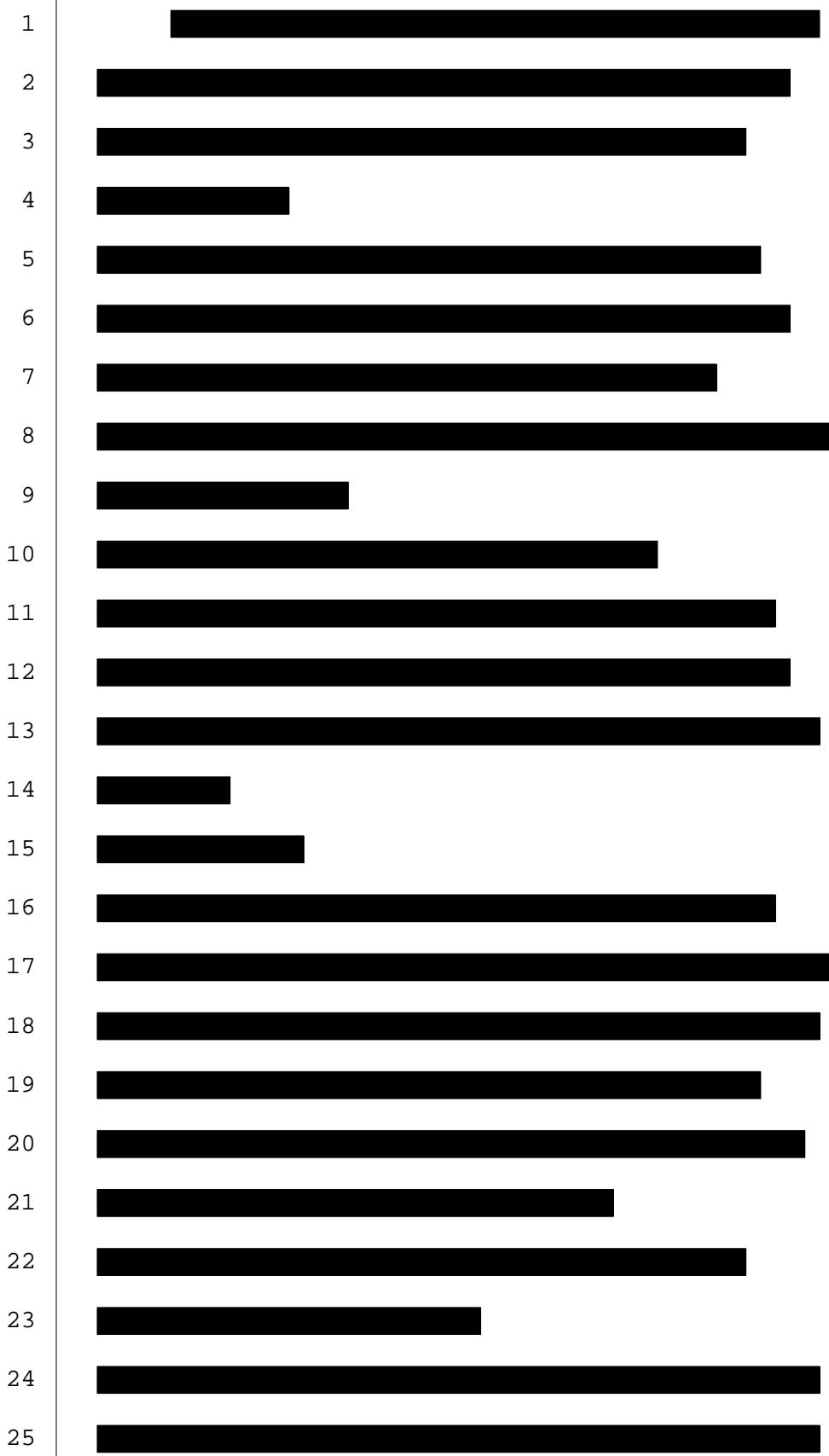
18 Q. And do you know the timeframe of when  
19 Matt oversaw the warehouse?

20 A. He left before I did originally, but I'm  
21 not sure of the specifics.

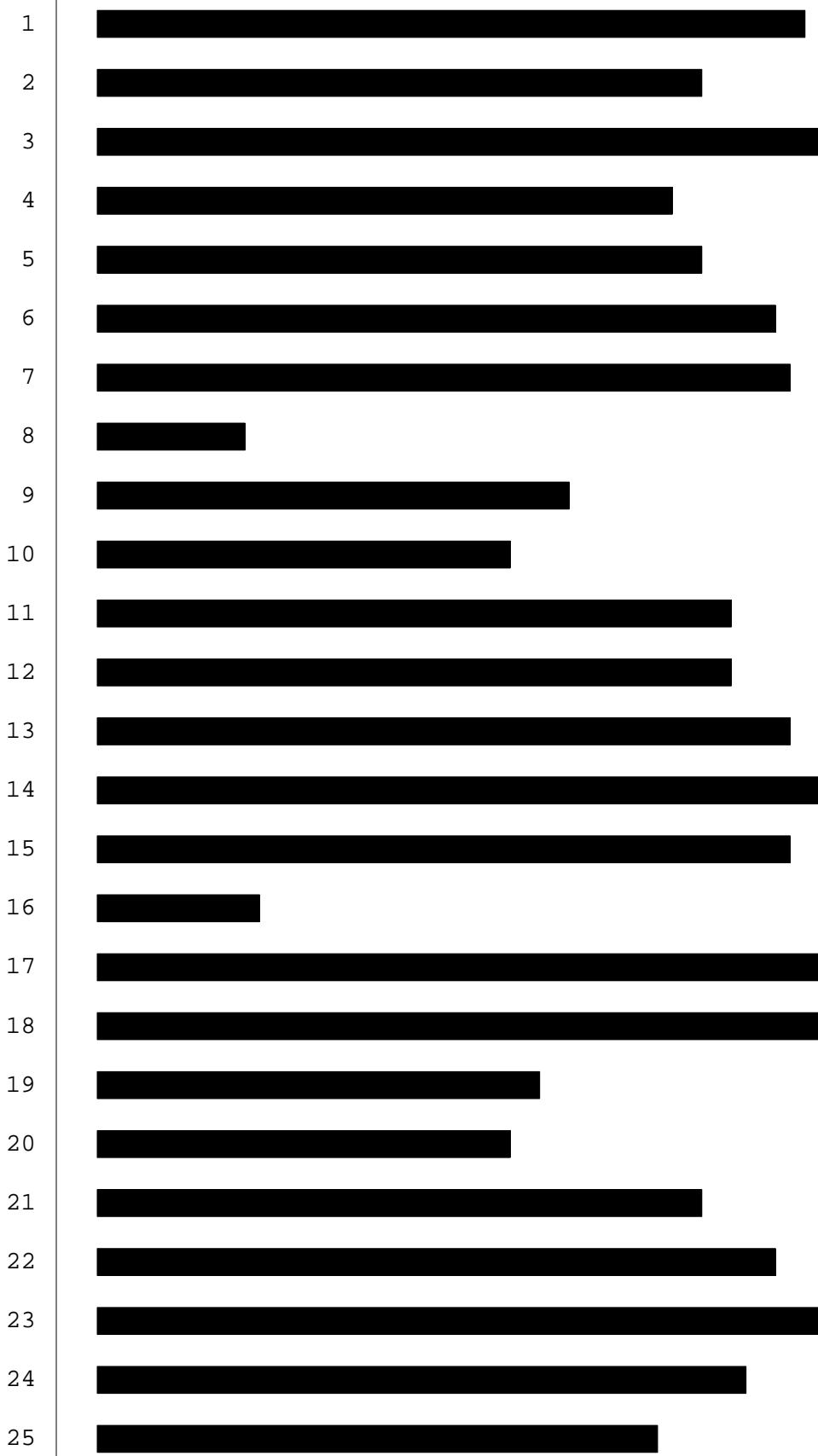
22 Q. Explain to me what that means.

23 A. I believe he left Giant Eagle before.  
24 I'm sorry. I left in 2015. I believe he left  
25 before me, but I don't know exactly when before.

20



21



22

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]  
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1           Q.    Do you have any knowledge about problems  
2 with opioid abuse or opioid diversion that's  
3 occurred in Ohio or generally in the United  
4 States?

5           MR. KOBRIN:  Object to form.

6           THE WITNESS:  Other than what I've seen  
7 on the news or read in articles, no.

8 BY MR. HUDSON:

9           Q.    And from what you've seen and what  
10 you've heard, what is your understanding of  
11 problems with opioids in the United States?

12           MR. KOBRIN:  Object to form.

13           THE WITNESS:  That they're being  
14 misused, I believe, whether it be prescription or  
15 illicit.

16 BY MR. HUDSON:

17           Q.    Do you have any knowledge about the  
18 opioids that were most likely to be abused or  
19 diverted?

20           A.    No.

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

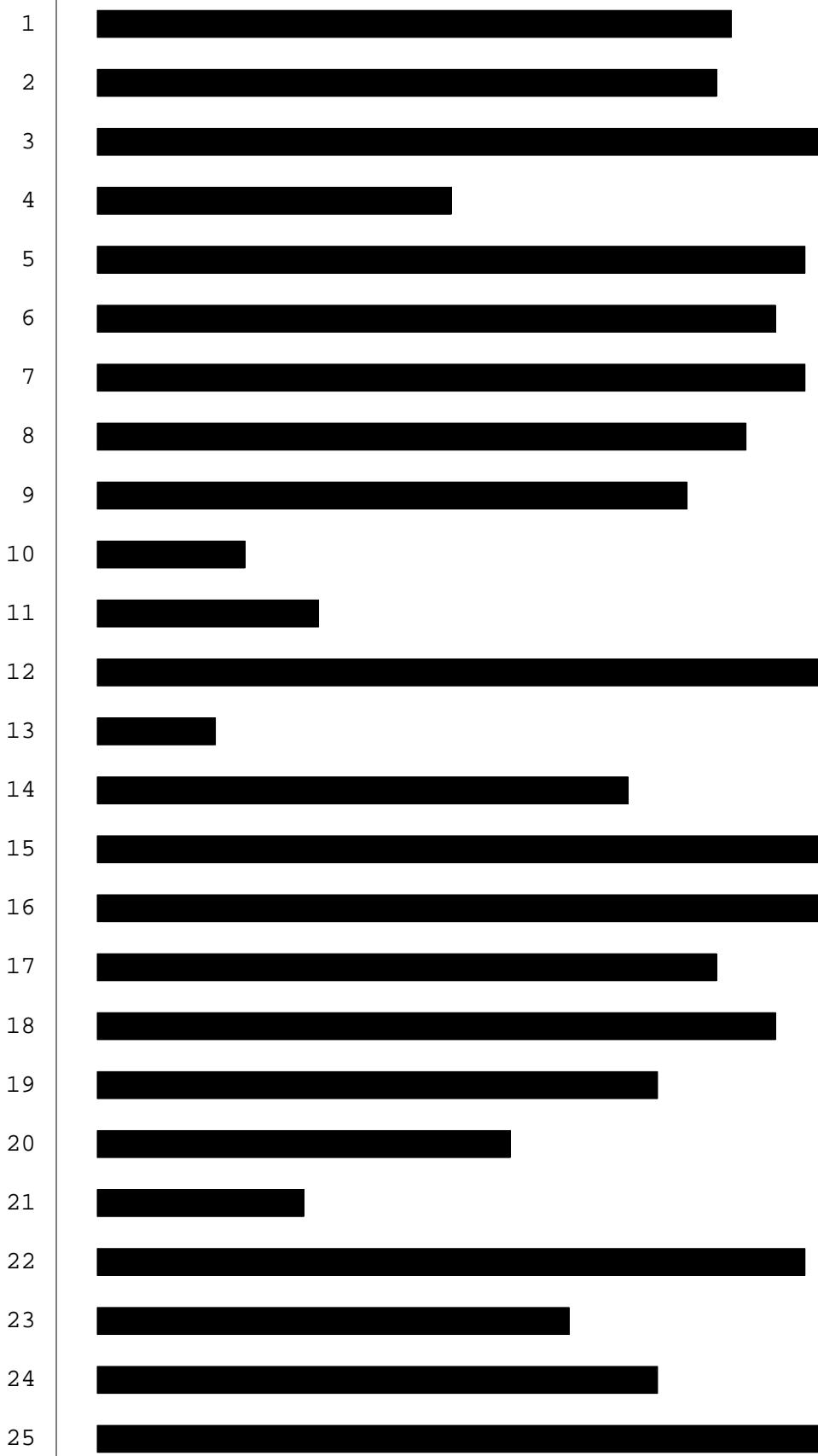
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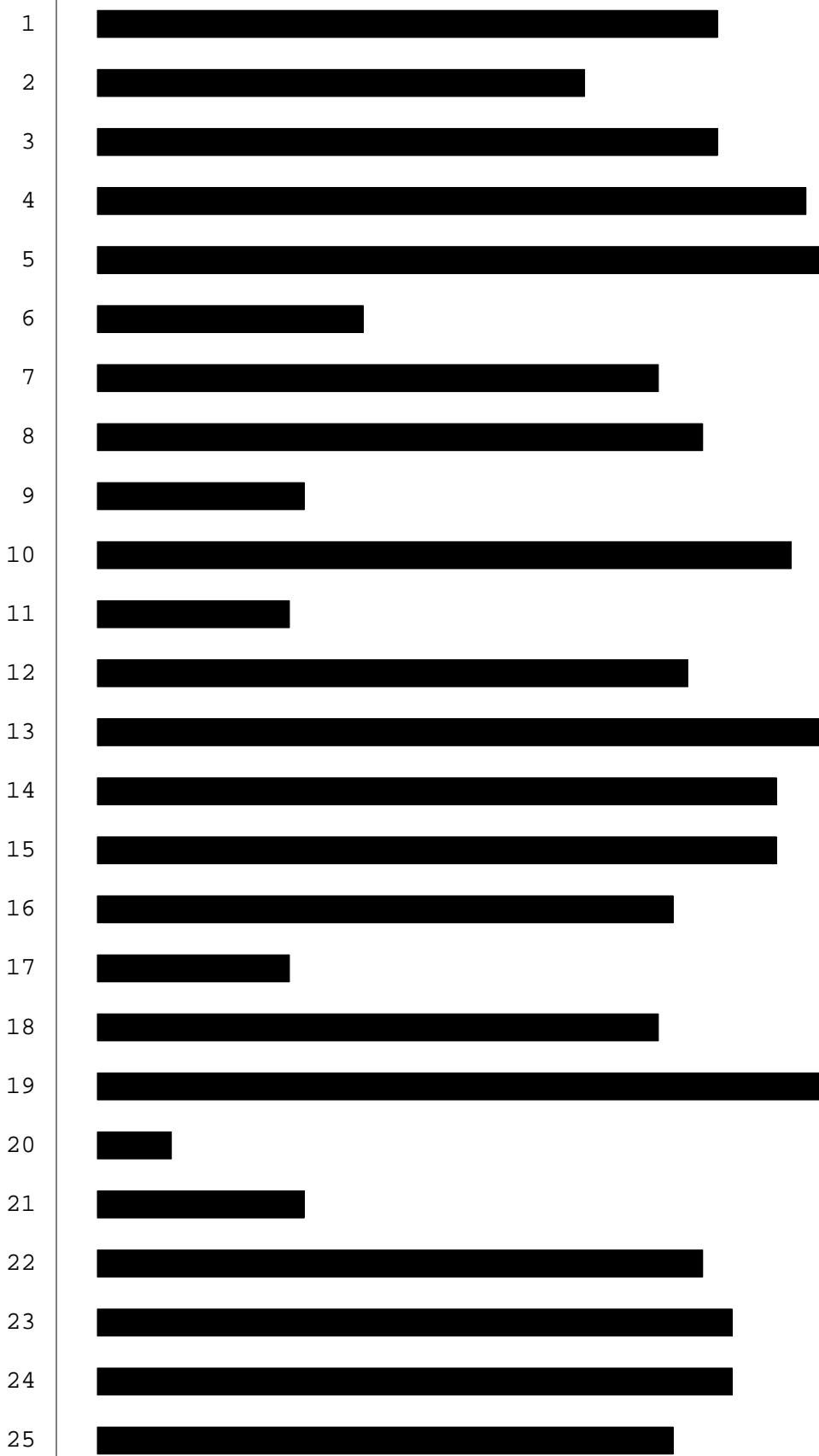
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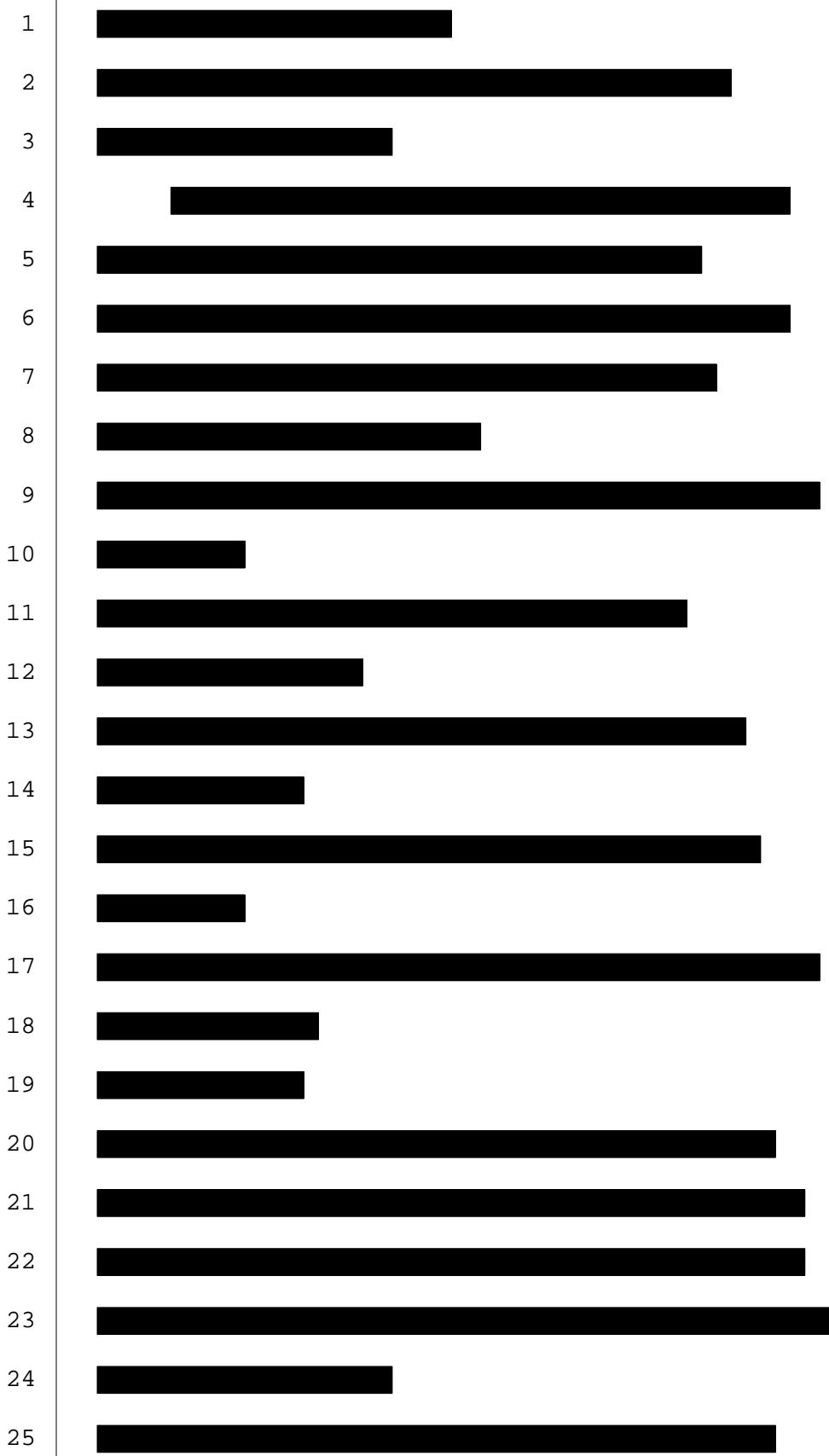
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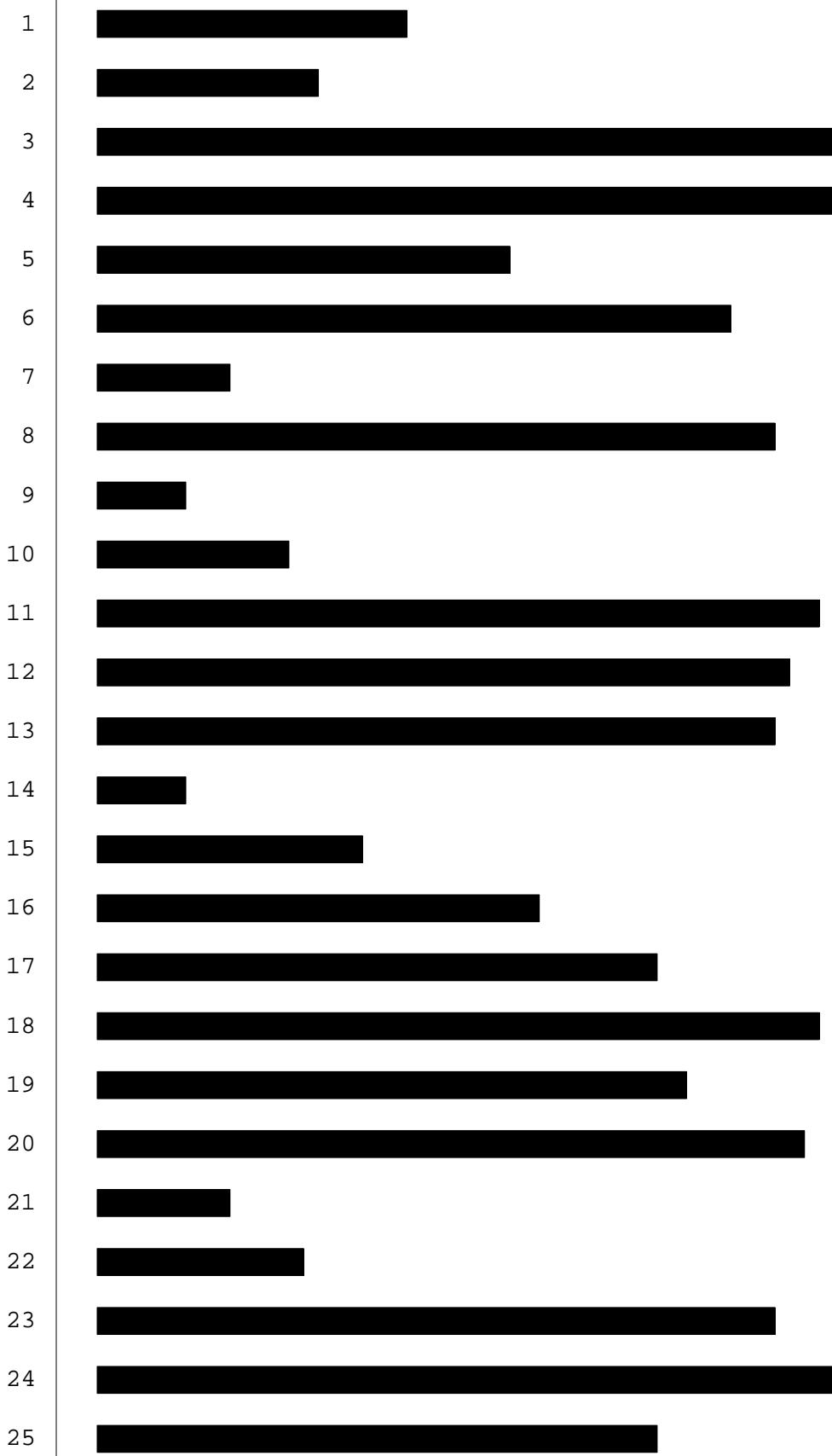
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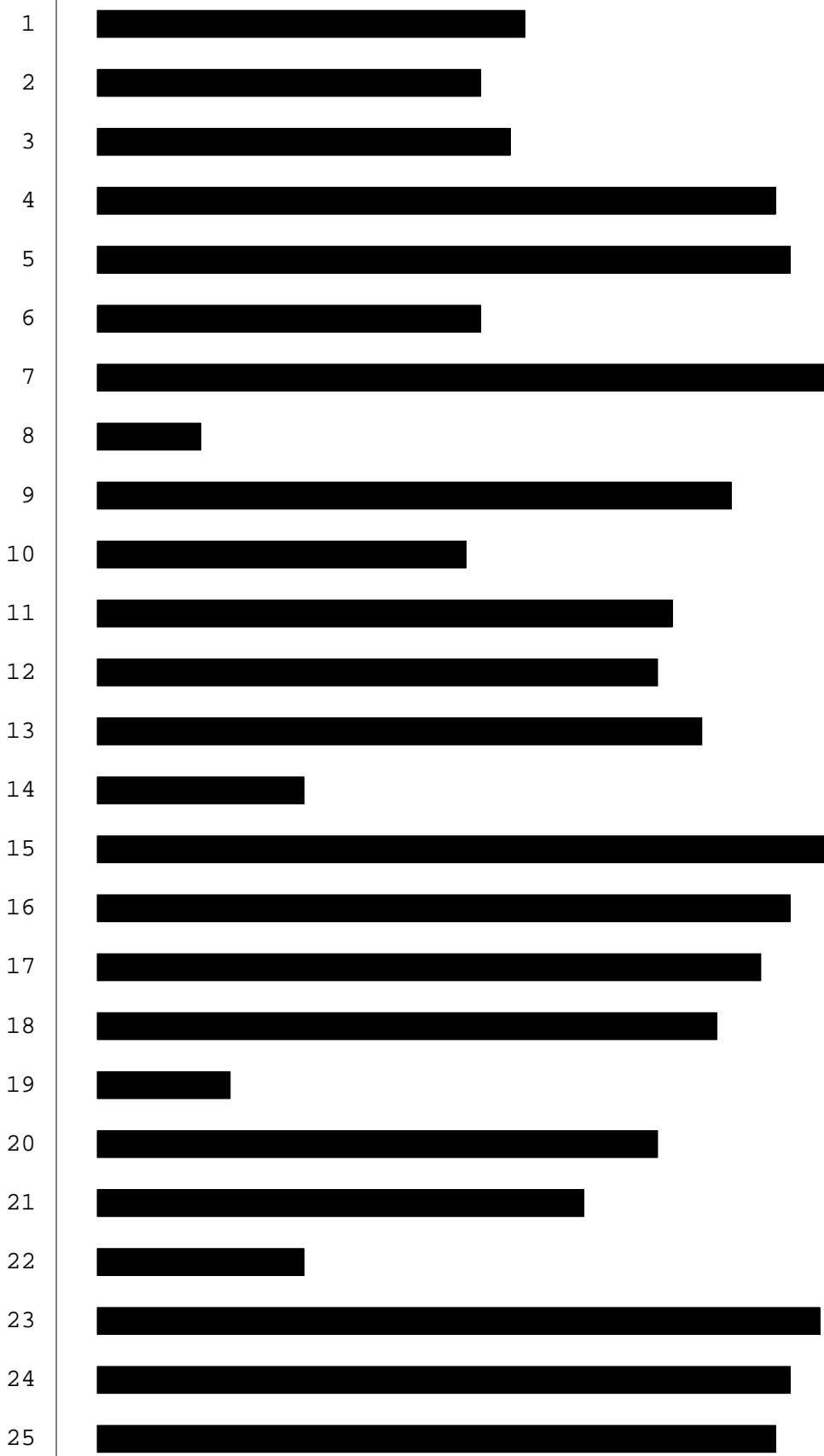
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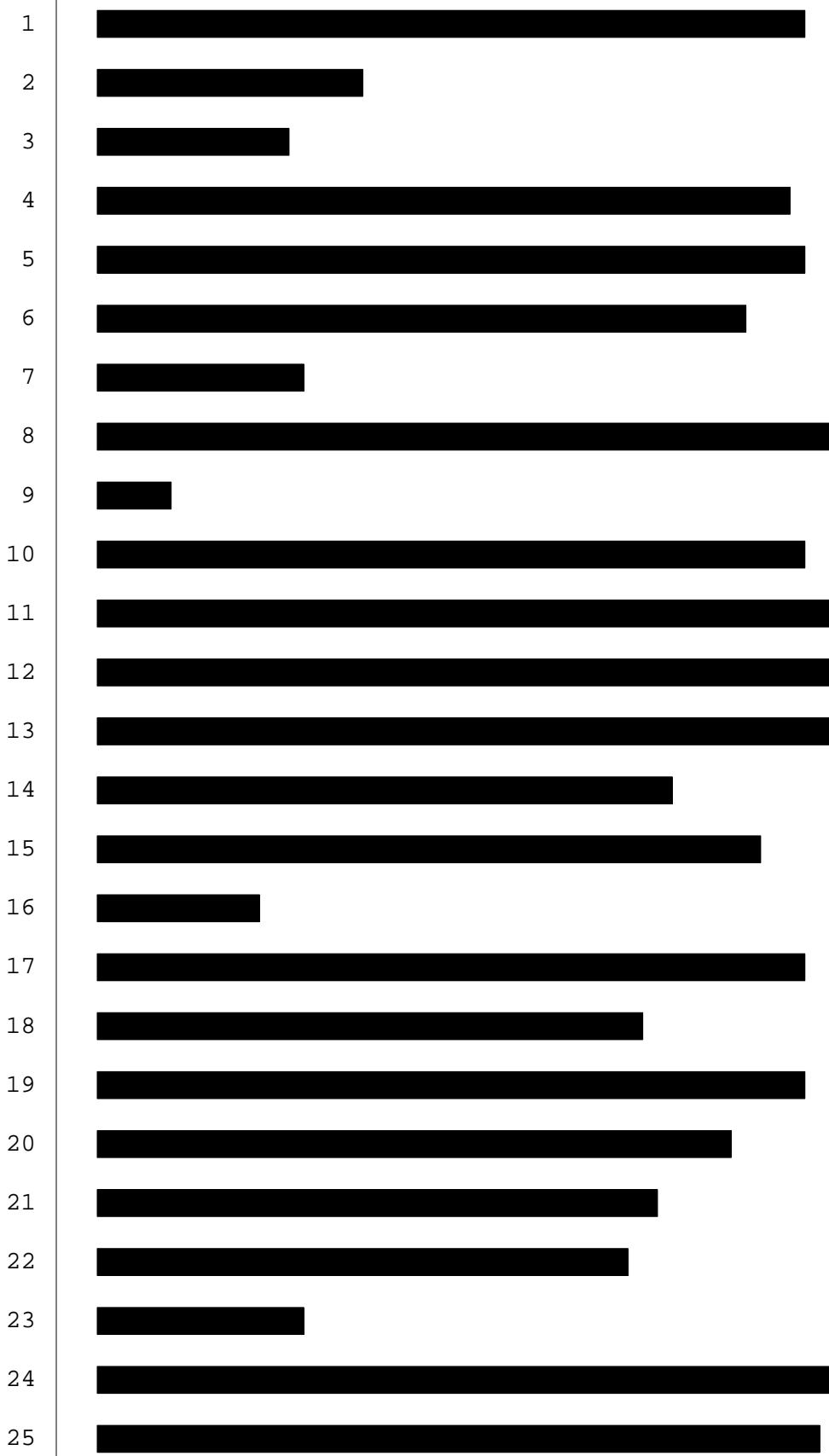
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21 MR. KOBRIN: Do you want to take a break  
22 after this exhibit?

23 MR. HUDSON: If you need to.

24 MR. KOBRIN: Do you want to take a  
25 break?

1 THE WITNESS: Yeah.

2 MR. KOBRIN: Do you want to take a break  
3 now?

4 THE WITNESS: We can finish this.

5 MR. HUDSON: Now is as good a time as  
6 any. We can go off the record.

7 THE VIDEOGRAPHER: The time is  
8 10:11 a.m. We're off the video record.

9 (Recess from 10:12 a.m. to 10:25 a.m.)

10 THE VIDEOGRAPHER: The time is  
11 10:25 a.m. We are now back on the video record.

12 (HBC-Bianco Exhibit 6 was marked.)

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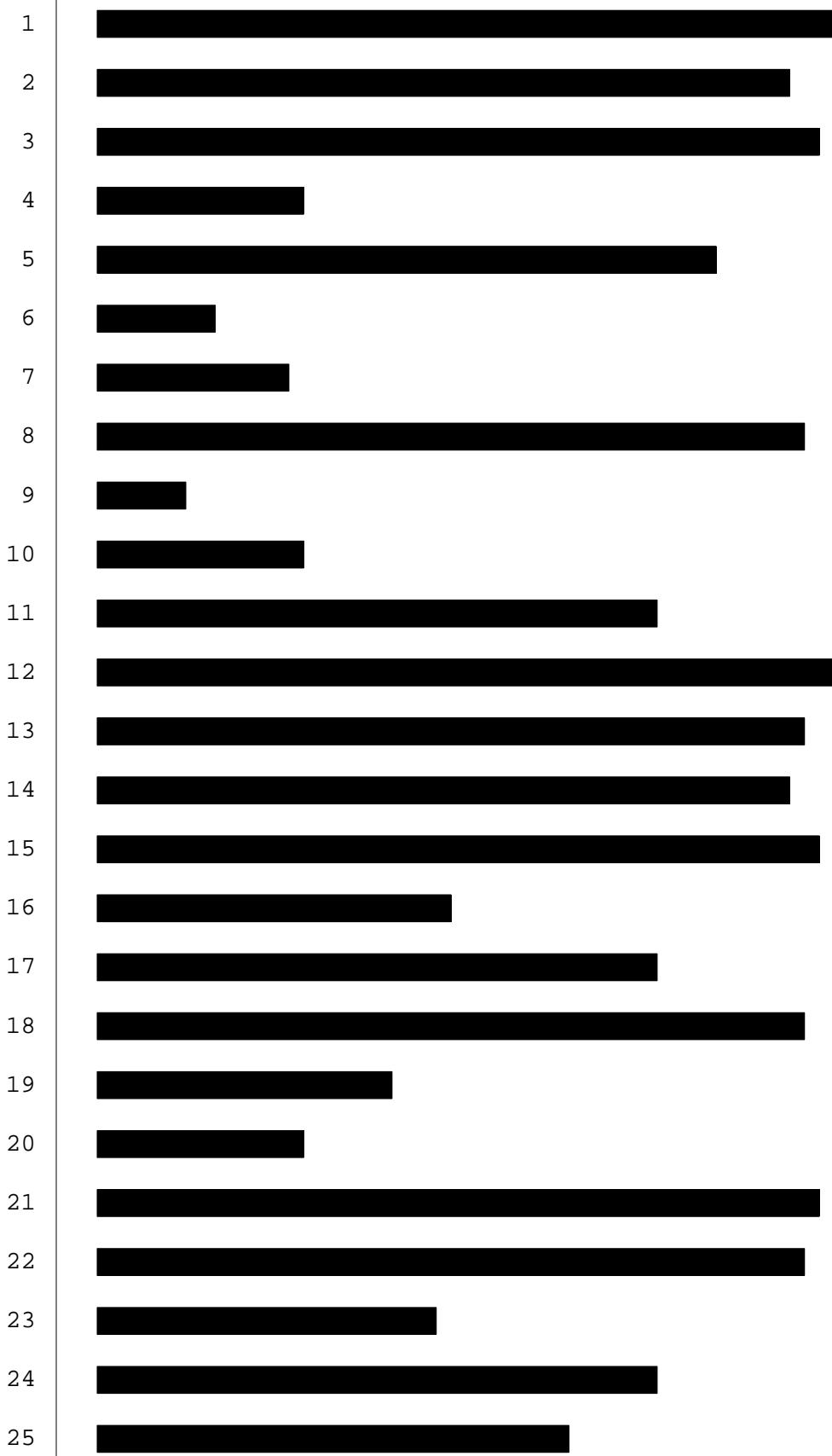
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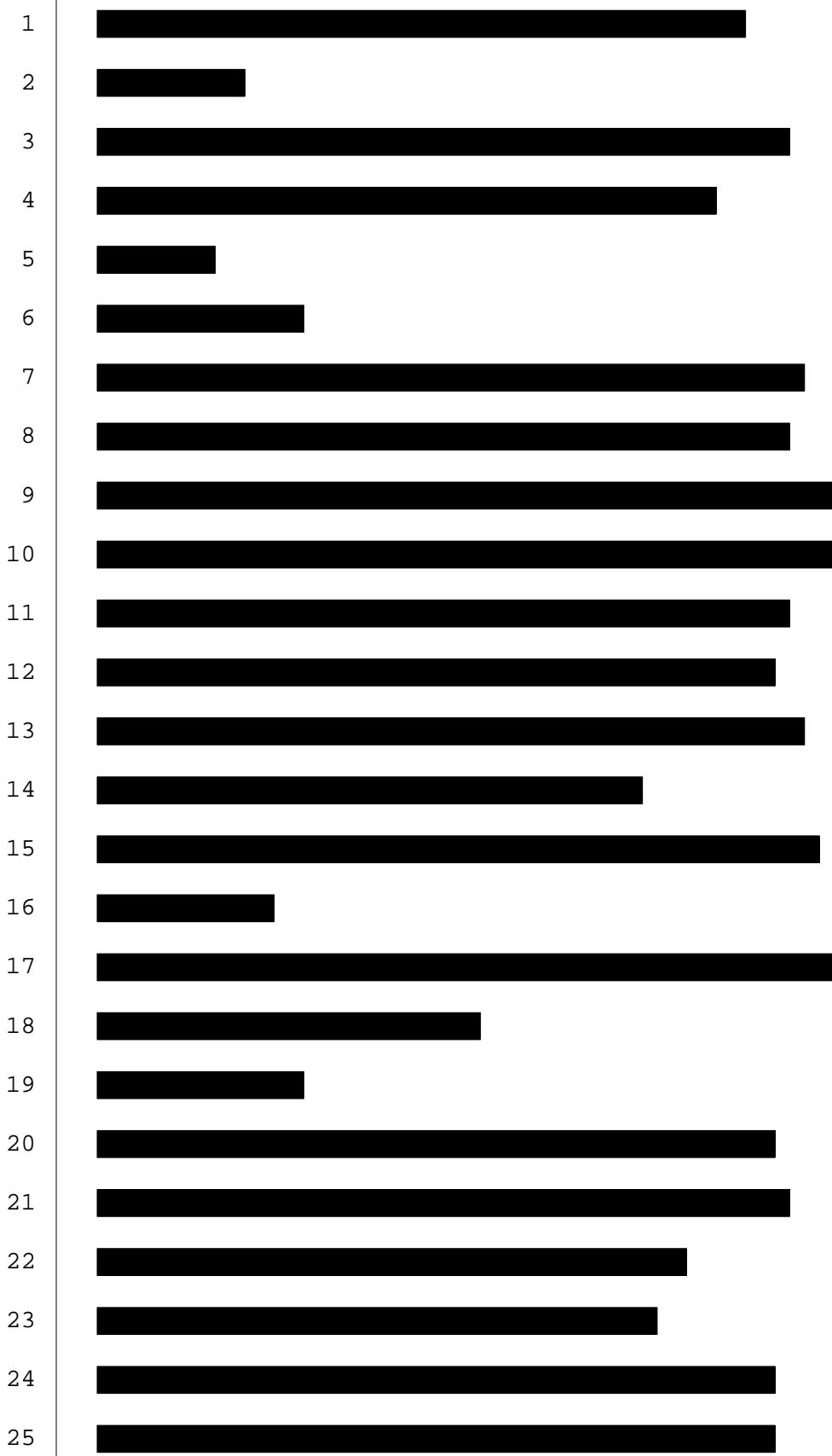
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10 BY MR. HUDSON:

11 Q. Let me show you then what I'm marking as  
12 Exhibit 12.

13 MR. KOBRIN: Well, this is going to be  
14 Exhibit 12. This is going to be Exhibit 13.

15 MR. HUDSON: Mark that as 12.

16 (HBC-Bianco Exhibit 13 was marked.)

17 BY MR. HUDSON:

18 Q. I'll hand you what I marked as 13.

19 MR. KOBRIN: Do you want me to read the  
20 Bates range for the record?

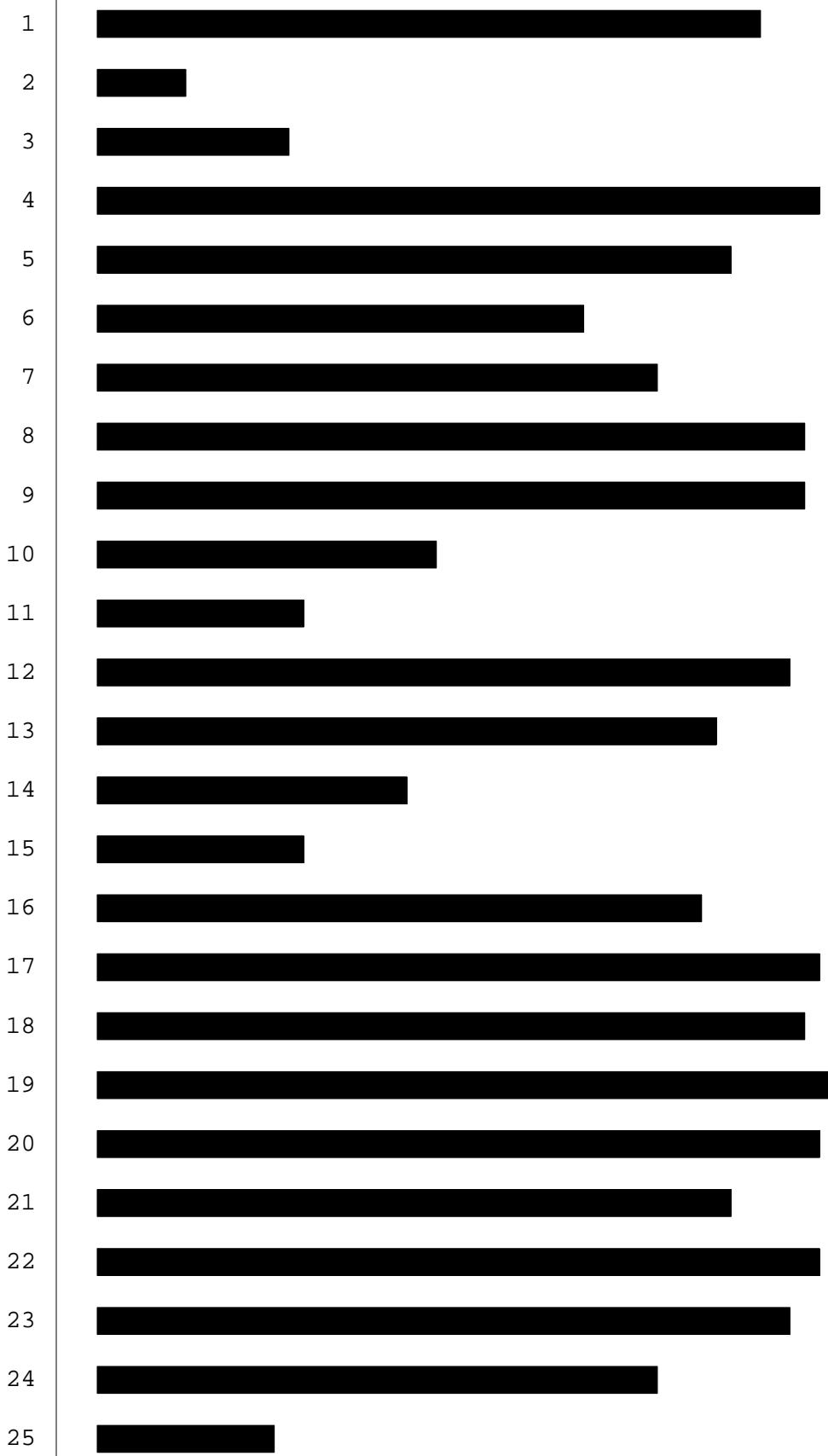
21 MR. HUDSON: Yeah, you can.

22 MR. KOBRIN: Exhibit 12 is  
23 ENDO\_HSGAC\_0017819.

24 BY MR. HUDSON:

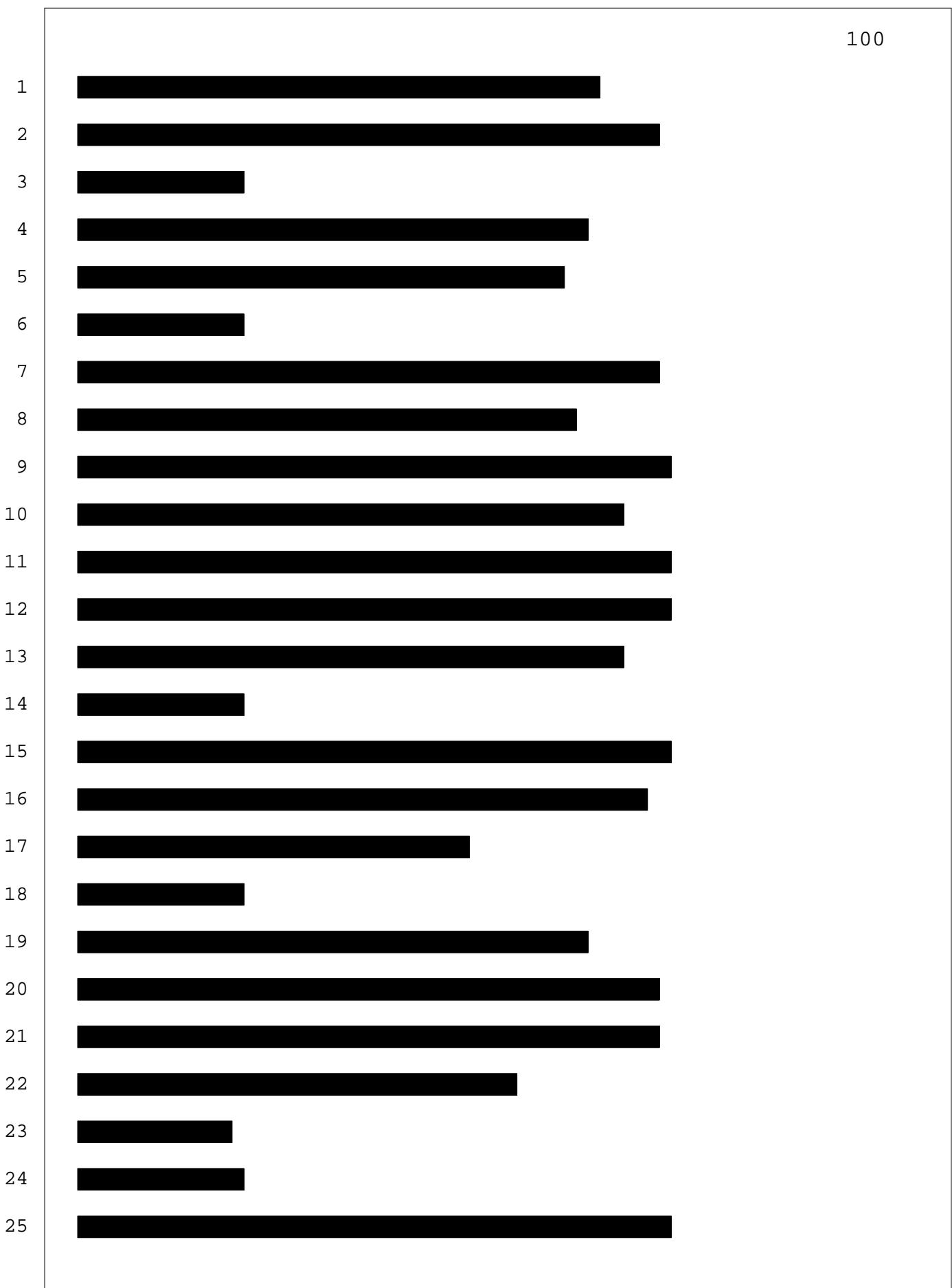
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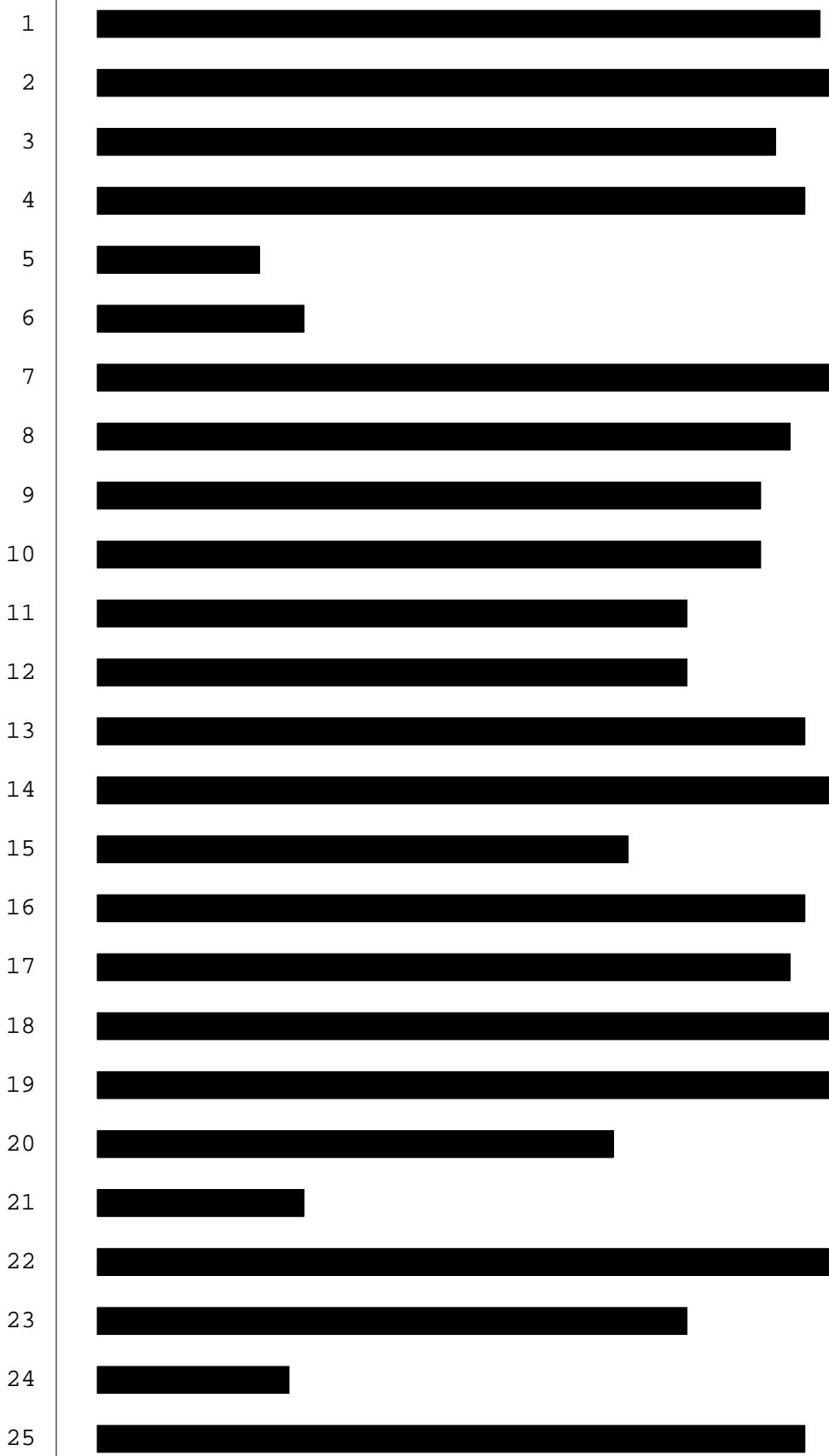
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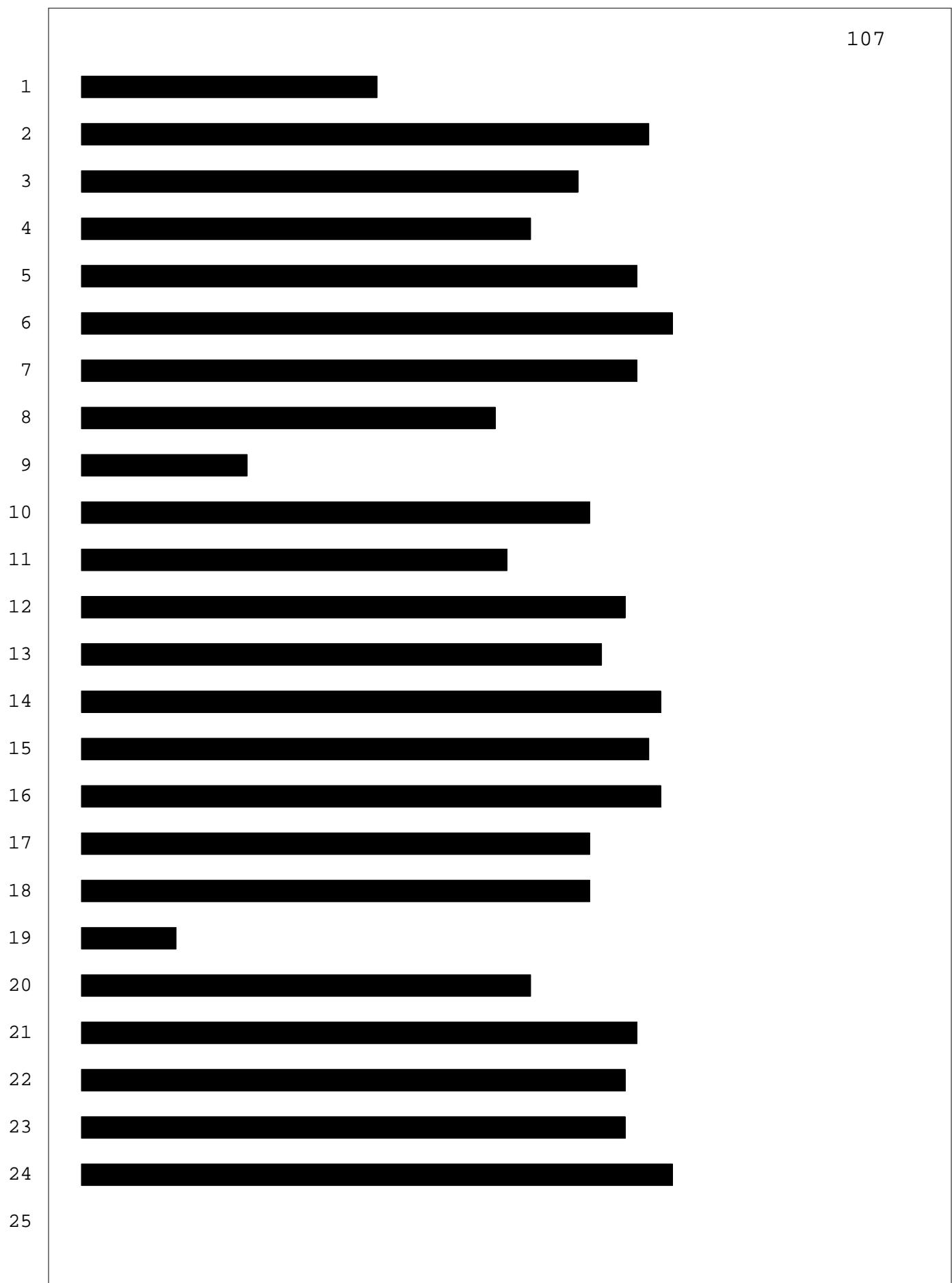
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108

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25 [REDACTED]

1 today, do you have actually have firsthand  
2 knowledge that the HBC warehouse had the ability  
3 to hold or stop orders?

4 MR. KOBRIN: Object to form. Asked and  
5 answered.

6 THE WITNESS: Yes.

7 BY MR. HUDSON:

8 Q. And how then did that occur?

9 MR. KOBRIN: Object to form. Asked and  
10 answered.

11 THE WITNESS: I mean, I'm reading an  
12 email that I wrote that says an order was stopped.

13 BY MR. HUDSON:

14 Q. I'm trying to get an understanding of  
15 what you're relying on other people to tell you.  
16 Did somebody tell you the order had been  
17 stopped --

18 MR. KOBRIN: Ty, are you asking if he  
19 went to the warehouse to stop the order himself?

20 BY MR. HUDSON:

21 Q. -- versus you having firsthand knowledge  
22 of how the process worked and how orders were  
23 stopped?

24 MR. KOBRIN: Object to form. Ty, this  
25 has been gone over several times in this

1 deposition. He's told you he knew the orders were  
2 stopped. He's told you that he didn't understand  
3 the exact technicalities of it. I don't  
4 understand why you're beating this witness up  
5 about this issue.

6 THE WITNESS: I never physically went  
7 there to stop an order or see an order physically  
8 stopped.

9 BY MR. HUDSON:

10 Q. And as you sit here today, you don't  
11 know the process of how an order could be stopped?  
12 I'll be real honest with you. The reason why I'm  
13 asking is because other witnesses have testified  
14 that orders can't be stopped.

15 MR. KOBIN: Object to form.

16 Misrepresents the testimony of other witnesses.

17 THE WITNESS: I don't know how --

18 MR. HUDSON: The record will tell that.

19 THE WITNESS: I don't know how they  
20 were -- I don't know the details behind it.

21 BY MR. HUDSON:

22 Q. Is it fair to say it was your  
23 understanding at this time that orders could be  
24 stopped, but you didn't understand how, you didn't  
25 understand who did it, and you didn't understand

1 how the process worked?

2 MR. KOBRIN: Object to form.

3 THE WITNESS: Yes.

4 BY MR. HUDSON:

5 Q. Fair enough. Thank you.

6 MR. KOBRIN: Can we take just a quick  
7 break?

8 MR. HUDSON: Sure. Let's go off the  
9 record.

10 THE VIDEOGRAPHER: The time is 11:23.  
11 We're going off the video record.

12 (Recess from 11:23 a.m. to 11:42 a.m.)

13 THE VIDEOGRAPHER: The time is  
14 11:42 a.m. We are now back on the video record.

15 BY MR. HUDSON:

16 Q. Mr. Bianco, let's move to a new topic.  
17 Were you ever involved in any DEA inspections?

18 A. Formal inspections, not that I remember.

19 (HBC-Bianco Exhibit 14 was marked.)

20 BY MR. HUDSON:

21 Q. Let me hand you what I've marked as  
22 Exhibit 14.

23 MR. HUDSON: The internal number is 1226  
24 for this one.

1 BY MR. HUDSON:

2 Q. This looks like two emails. I'm going  
3 to start with the bottom email. And that was from  
4 you to STR\_Pharmacy\_PDLs. Do you see that?

5 A. I do.

6 Q. Are you emailing then a distribution  
7 list of all the Giant Eagle PDLs?

8 A. Yes.

9 Q. And then you're copying Mr. Millward,  
10 Ms. Matty, Mr. Shaheen and Mr. Carlson; right?

11 A. Yes.

12 Q. And the subject is Narcs Found in Tote?

13 A. Correct.

14 Q. And it's September 25, 2014; right?

15 A. Correct.

16 Q. And in this email you're indicating that  
17 a narcotic tote was returned to the HBC warehouse  
18 today with no identifying marks; right?

19 A. Yes.

20 Q. And then below you've identified what  
21 the contents are in that tote there; right?

22 A. It appears to be.

23 Q. The top one is two units of a  
24 hydrocodone combination product; right?

25 A. Correct.

1 Q. And then if we go on down, the fifth  
2 item down is one unit of a hydrocodone combination  
3 product; right?

4 A. Correct.

5 Q. And then the sixth item is another one  
6 unit of a hydrocodone combination product?

7 A. Correct.

8 Q. And then below that you wrote,  
9 "Additionally, we have seen a large number of  
10 totes being returned to the warehouse with their  
11 contents still inside, many of which are  
12 refrigerated or controlled items. Please attempt  
13 to address this as you see fit."

14 Now, if we go up above to your -- that's in  
15 October. If we go up to the top email, this is an  
16 email from you to Mr. Millward with a copy to  
17 Mr. Carlson; right?

18 A. To who?

19 Q. It's an email from you to Mr. Millward  
20 with a copy to Mr. Carlson.

21 A. Yes. Sorry.

22 Q. And you're forwarding your email below;  
23 right?

24 A. Yes.

25 Q. And that was the narcs found in tote

1 email; right?

2 A. Correct.

3 Q. So this is about a little less than a  
4 week after your September 25 email is this forward  
5 on October 1; right?

6 A. Correct.

7 Q. In here you said, "Hi, Joe. As you  
8 likely know, the DEA was in for an inspection of  
9 the warehouse today specifically asking about  
10 hydrocodone-containing products."

11 Do you see that?

12 A. Yes.

13 Q. Do you have any recollection other than  
14 what you're reading in this email about this DEA  
15 next of the warehouse today asking about  
16 hydrocodone-containing products?

17 MR. KOBRIN: Object to form.

18 THE WITNESS: No.

19 BY MR. HUDSON:

20 Q. Here you wrote, "At the time the  
21 warehouse reported having no  
22 hydrocodone-containing products on hand."

23 Correct?

24 A. Yes.

25 Q. Then in the next paragraph you said,

1 "Currently, we have one case of a  
2 hydrocodone/APAP5/325 that was intended for 6510."

3 Is that a particular store, 6510?

4 A. Yes.

5 Q. "Which is being shipped out tonight  
6 after discussion with Tracy Patel. We also have  
7 one tote of which the contents are described below  
8 that was returned to the warehouse. The original  
9 owner of the returned tote is not able to be  
10 identified by Donna Matty or myself through  
11 various methods. Can you tell me how you would  
12 like these contents to be handled. I would like  
13 to have the four units of hydrocodone-containing  
14 products out of the warehouse by 10/5 so we can  
15 avoid any issues with the schedule change."

16 Do you see that?

17 A. Yes.

18 Q. Does this email from you to Mr. Millward  
19 and a copy to Mr. Carlson indicate that on  
20 October 1 when you were writing this email, there  
21 were hydrocodone combination products that were at  
22 the warehouse?

23 A. On October 1, yes.

24 Q. And you wrote this email at 1827. Would  
25 that be 6:27 at night?

1           A. Assuming the time stamps are correct,  
2 yes.

3           Q. And here in this email you're writing  
4 that there was a DEA inspection of the warehouse  
5 today, which means on October 1; right?

6           A. That's what it reads, yes.

7           Q. And at that inspection where that DEA  
8 came in, the warehouse reported to the DEA having  
9 no hydrocodone-containing products on hand;  
10 correct?

11          A. That's what it reads, yes.

12          Q. But that wasn't true; right?

13           MR. KOBRIN: Object to form.

14           THE WITNESS: I don't know that.

15          BY MR. HUDSON:

16          Q. In this email that you forwarded, you  
17 forwarded an email from September 25 that talked  
18 about a tote being returned to the HBC warehouse  
19 that had four units of hydrocodone combination  
20 products; right?

21          A. Yes.

22          Q. And in your above email, you're talking  
23 about shipping it out that night, the night of  
24 October 1, right, from the warehouse?

25          A. That's what it reads.

1           Q.    So that tote was there that day when the  
2    DEA was inspecting; right?

3           A.    I don't know that.

4           Q.    You can't tell that from reading your  
5    below email and this email?

6           A.    I wasn't physically at the location. So  
7    I don't know where the tote in question was or how  
8    it was handled.

9           Q.    In this email that you're writing to  
10   Mr. Millward, we know where the tote was, right,  
11   because you're talking shipping it out that night?

12           MR. KOBRIN: Object to form. Where are  
13   you talking about they were shipping it out that  
14   night?

15   BY MR. HUDSON:

16           Q.    Do you see that, Mr. Bianco?

17           A.    Can you repeat that.

18           Q.    Sure. You said currently -- or you  
19   said, "Currently we have one case of  
20   hydrocodone/APAP 5/325..." What is that?

21           A.    That's -- I can't remember if it's  
22   Vicodin or Norco. I think it's Norco, the generic  
23   Norco.

24           Q.    "...that was intended for 6510, which is  
25   being shipped out tonight after discussion with

1 Tracy Patel." And who is Tracy Patel?

2 A. She's an PDL.

3 Q. So this is indicating the HBC warehouse  
4 is going to ship this hydrocodone-containing  
5 product to -- it's going to ship it out that  
6 night. Is that a fair reading of this email.

7 A. I don't know where it was shipping from.  
8 It just says that it was shipping.

9 Q. You can't tell from your email where it  
10 was shipping from, that particular  
11 hydrocodone-containing product?

12 A. I can make an assumption.

13 Q. What would your assumption be?

14 MR. KOBRIN: Object to form.

15 THE WITNESS: Strictly speculating, it  
16 would be from the warehouse.

17 BY MR. HUDSON:

18 Q. Is there anywhere else that you can  
19 think of as you sit here now where that  
20 hydrocodone-containing product would be other than  
21 the warehouse?

22 A. At the time I believe it wasn't a CII.  
23 How it was handled didn't have as -- the DEA  
24 doesn't regulate it as tightly. So I don't know  
25 where it was. I can't speak to where it was.

1           Q.    So if it was a hydrocodone-containing  
2 product, since it's less regulated, in your mind,  
3 somehow it's less critical that you tell the truth  
4 to the DEA about which products are there?

5           MR. KOBRIN:  Object to form.

6 BY MR. HUDSON:

7           Q.    I don't understand what that means.

8           MR. KOBRIN:  Object to form.  Misstates  
9 the testimony and it's argumentative.

10           THE WITNESS:  You don't understand what  
11 what means?

12 BY MR. HUDSON:

13           Q.    Why did you say that hydrocodone was not  
14 a CII at the time?

15           A.    I thought you had said earlier that  
16 hydrocodone changed in late October 2014.

17           Q.    It changed at some point in  
18 October 2014; right?

19           A.    Okay.

20           Q.    Do you know specifically when it  
21 changed?

22           A.    I don't know off the top of my head, no.

23           Q.    Do you know why the DEA was conducting  
24 this inspection?

25           A.    I do not.

1 Q. Do you know why they were asking about  
2 hydrocodone-containing products?

3 A. I do not.

4 Q. Do you know why the warehouse reported  
5 having no hydrocodone-containing products on hand?

6 A. I do not.

7 Q. From your email, do you think it's fair  
8 to infer that you're saying that there were  
9 hydrocodone products that are on hand, but they're  
10 being shipped out as soon as possible?

11 MR. KOBRIN: Object to form.

12 THE WITNESS: At what time?

13 BY MR. HUDSON:

14 Q. On October 1. One shipment you're going  
15 to ship out later that night on October 1, and the  
16 other shipment you're trying to get shipped out by  
17 10/5.

18 A. We can infer that as of October 1 at  
19 6:30 p.m. there was hydrocodone there. That's  
20 fair.

21 Q. Right. So we know for sure that on  
22 October 25, 2014, you wrote to all the PDLs about  
23 a tote that had been returned to the HBC warehouse  
24 that day that contained four units of hydrocodone  
25 combination products; right?

1 A. Correct.

2 Q. And then we also know that in your email  
3 of October 1, you reference that tote again, and  
4 you say, we also have one tote of which the  
5 contents are described below, and that's your  
6 email from September 25, right, that was returned  
7 to the warehouse? The original owner of the  
8 returned tote is not able to identify by Donna  
9 Matty or myself -- is not able to be identified by  
10 Donna Matty or myself through various methods;  
11 right?

12 A. That's what it reads.

13 Q. Then you said, "Can you tell me how you  
14 would like these contents to be handled?" And you  
15 wrote, "I would like to have the four units of  
16 hydrocodone-containing products out of the  
17 warehouse."

18 When you say out of the warehouse, that  
19 indicates that at least on October 1 at 6:27 p.m.  
20 when you wrote this email that they're in the  
21 warehouse; right?

22 MR. KOBRIN: Object to form.

23 BY MR. HUDSON:

24 Q. Do you agree with that?

25 A. (Nodding.)

1 Q. And you want them out within the next  
2 four days, by 10/5, so you can void issues with  
3 the schedule change; right?

4 A. That's what it says.

5 Q. As you sit here today, do you believe  
6 that the warehouse conveyed information to the DEA  
7 that was not accurate?

8 A. I don't know.

9 Q. Was the purpose of your email to  
10 Mr. Millward to make him aware of what had been  
11 told to the DEA and make sure that those  
12 hydrocodone combination products were out of the  
13 warehouse as soon as possible?

14 A. I think the purpose would have been to  
15 let him know about the hydrocodone products in the  
16 warehouse at that time.

17 Q. Why then did you mention the DEA  
18 inspection?

19 A. I don't know.

20 Q. Why did you mention that the warehouse  
21 reported having no hydrocodone-containing  
22 products?

23 A. I don't know. I don't know if that was  
24 said to the DEA or not.

25 Q. You think from your email it's possible

123

1 that the warehouse did not report to the DEA of  
2 having no hydrocodone-containing products on hand?

3 A. I can't speak to that. I wasn't there.

4 Q. Let's look more carefully then, if we  
5 can go back up to the top paragraph of your email.  
6 This is what you wrote on October 1.

7 "As you likely know, the DEA was in for an  
8 inspection of the warehouse today specifically  
9 asking about hydrocodone-containing products. At  
10 the time the warehouse reported having no  
11 hydrocodone-containing products on hand."

12 In your mind, is there any doubt at all that  
13 the HBC warehouse reported to the DEA on October 1  
14 that it had no hydrocodone-containing products on  
15 hand?

16 A. I don't know. I don't know if the DEA  
17 asked if there was any on hand. I wasn't at  
18 the...

19 Q. You don't know whether or not the DEA  
20 asked the warehouse whether there were  
21 hydrocodone-containing products on hand?

22 A. I don't know how I could know that.

23 Q. You wrote it in your email, didn't you?

24 A. No.

25 Q. You say, "As you likely know, the DEA

1 was in for an inspection of the warehouse today  
2 specifically asking about hydrocodone-containing  
3 products."

4 Then you went on and said, "At the time the  
5 warehouse reported having no  
6 hydrocodone-containing products on hand."

7 In your mind is there any uncertainty as to  
8 what you wrote?

9 MR. KOBRIN: Object to form.

10 THE WITNESS: I can read what I wrote.

11 BY MR. HUDSON:

12 Q. You agree that that day when the DEA was  
13 there, what you're writing is that the warehouse  
14 told the DEA that there were no  
15 hydrocodone-containing products on hand; right?

16 A. I disagree.

17 Q. You don't think that's what's written in  
18 that paragraph?

19 A. I know definitively that's not what's  
20 written in the paragraph.

21 Q. What do you think the warehouse told the  
22 DEA?

23 A. I don't know.

24 Q. What was your overall point in writing  
25 this email to Mr. Millward who was the head of

1 compliance at the time?

2 A. I don't remember. As I said earlier, I  
3 could speculate that it was likely to tell him at  
4 time of day that there may have been products on  
5 hand.

6 Q. Why would it be important to tell him  
7 that there were hydrocodone products on hand?

8 MR. KOBIN: Object to form.

9 THE WITNESS: Based on my email because  
10 we wanted them out of the warehouse by 10/5.

11 BY MR. HUDSON:

12 Q. And why did you want them out of the  
13 warehouse by 10/5?

14 A. So we can avoid any issue with the  
15 schedule change.

16 Q. What about the DEA, is there any  
17 connection between the DEA coming and asking about  
18 hydrocodone-containing products and the decision  
19 to ship out the hydrocodone combination products  
20 that you identified as being on hand?

21 MR. KOBIN: Object to form.

22 THE WITNESS: Can you repeat that.

23 BY MR. HUDSON:

24 Q. Sure. Is there any connection between  
25 the DEA conducting this inspection of the

1 warehouse that day and your decision to email  
2 Mr. Millward and Mr. Carlson about shipping out  
3 the hydrocodone combination products as soon as  
4 possible or at least by 10/5?

5 MR. KOBRIN: Object to form.

6 THE WITNESS: I don't -- I don't know.

7 BY MR. HUDSON:

8 Q. If it was just about shipping the  
9 hydrocodone combination products out, would there  
10 have been any need to reference that the DEA had  
11 made an inspection that day?

12 A. They're two separate paragraphs, so...

13 Q. So you think these are two unconnected  
14 points?

15 A. No. I don't know.

16 Q. Does this cause you concern as you're  
17 sitting here today reading these two paragraphs  
18 that it's possible that the HBC warehouse may have  
19 provided inaccurate information to the DEA about  
20 whether it had hydrocodone-containing products on  
21 hand?

22 MR. KOBRIN: Object to form.

23 THE WITNESS: No.

24 BY MR. HUDSON:

25 Q. It does not?

1 A. It doesn't state that they did.

2 Q. Do you think it's possible that the  
3 warehouse reported to the DEA that it had no  
4 hydrocodone-containing products on hand when, in  
5 fact, the warehouse did have  
6 hydrocodone-containing products in the warehouse  
7 at the time of the DEA inspection?

8 MR. KOBRIN: Object to form. Calls for  
9 speculation.

10 THE WITNESS: Is that possible? Yes.

11 BY MR. HUDSON:

12 Q. And from the contents of your email,  
13 doesn't it appear to be highly likely that that's  
14 what happened?

15 MR. KOBRIN: Object to form.

16 THE WITNESS: No. We had a very close  
17 relationship with the DEA. So I don't know what  
18 the conversations specifically were about, but  
19 they could have been about many issues surrounding  
20 the hydrocodone change, schedule change.

21 BY MR. HUDSON:

22 Q. We do know though as part of that  
23 conversation, the warehouse did report to the DEA  
24 having no hydrocodone-containing products on hand.  
25 We know that; right?

1 A. No.

2 Q. We don't know that?

3 A. I don't know who they reported that to.

4 Q. You think it's possible in the same  
5 paragraph you wrote about a DEA inspection of the  
6 warehouse asking about hydrocodone-containing  
7 products and in the next sentence you changed the  
8 subject completely and talked about a report to  
9 somebody other than the DEA about having no  
10 hydrocodone-containing products on hand?

11 MR. KOBRIN: Object to form.

12 Argumentative.

13 THE WITNESS: And what was the question?

14 MR. HUDSON: Would you mind reading back  
15 the question.

16 (The record was read back.)

17 BY MR. HUDSON:

18 Q. Do you understand the question?

19 A. I'm not changing the subject entirely.  
20 I'm still talking about hydrocodone. But, again,  
21 I can't -- I don't know what they said. I wasn't  
22 there. I don't know what was reported. I would  
23 presume the DEA has a report on that date.

24 Q. Sir, that first paragraph, you're  
25 recapping a DEA inspection that occurred and what

1 you told the DEA about hydrocodone-containing  
2 products; right?

3 A. No. I was not there to report anything  
4 to the DEA.

5 Q. But you're not -- in that paragraph you  
6 are not recapping what happened at that DEA  
7 inspection that day?

8 A. In the first sentence, yes.

9 Q. Only the first sentence.

10 A. I don't know. I don't recall this  
11 email. I don't recall the situation.

12 Q. As you're sitting here today, just  
13 understanding the English language and that  
14 paragraph and how it's written, is there any doubt  
15 in your mind that those two sentences are  
16 connected and that you're talking about a DEA  
17 inspection of the warehouse, about  
18 hydrocodone-containing products, and exactly what  
19 the warehouse reported to the DEA?

20 MR. KOBIN: Object to form.

21 Argumentative. Asked and answered.

22 THE WITNESS: Was there concern? What  
23 was the leading part of that? Was there concern  
24 that I --

1 BY MR. HUDSON:

2 Q. I just want to get your best testimony  
3 on the record about the first paragraph. When you  
4 read that paragraph as you sit here today, is your  
5 best recollection of what you wrote back on  
6 October 1 -- are those two sentences connected and  
7 are you reporting to Mr. Millward and copying  
8 Mr. Carlson, your boss at the time, about a DEA  
9 inspection of the HBC warehouse and what the  
10 warehouse reported to the DEA?

11 MR. KOBRIN: Object to form.

12 THE WITNESS: I guess if I had any  
13 concern -- I don't recall this email. But if I  
14 had any concern that there was a suspicious order,  
15 I wouldn't put it in five words in an email at  
16 6:30 at night, or a dozen words.

17 BY MR. HUDSON:

18 Q. My question though wasn't about a  
19 suspicious order. My question is that first  
20 paragraph, it's just what the warehouse told the  
21 DEA about whether there were hydrocodone  
22 combination products at the warehouse at the time  
23 of the inspection and then you reporting to them  
24 later about what your understanding of what was at  
25 that warehouse later that night.

1 Isn't that what's going on in this email?

2 A. Like I said, I wouldn't -- if I had  
3 concerns that there was a suspicious response to a  
4 DEA inspection, I would have taken further steps  
5 than to put it in several words in an email at  
6 6:30 at night.

7 Q. With all due respect, it's not just  
8 several words. In the second paragraph goes in  
9 and you describe in detail exactly how to solve  
10 the problem and get those hydrocodone combination  
11 products out of the warehouse as soon as possible;  
12 right?

13 MR. KOBRIN: Object to form.

14 THE WITNESS: I disagree with that.

15 BY MR. HUDSON:

16 Q. You do agree that for one case of the  
17 hydrocodone products, you're shipping those out  
18 later that same night; right? It's 6:27 at night  
19 and you're going to ship that case out later that  
20 night.

21 A. Correct.

22 Q. Is that usual or unusual for shipments  
23 to be shipped out after 6:30 at night?

24 A. Our first wave I don't believe started  
25 until 6:30 at night. I can't remember if it was

1 6:30, 7:30 or 8:30, but it was something similar  
2 to that.

3 Q. We can agree that what you identified in  
4 this second paragraph was a case of  
5 hydrocodone-containing products that had been  
6 meant to be shipped to store 6510, but it hadn't.  
7 So now you're putting in place a plan to get that  
8 shipped out of the warehouse that night on  
9 October 1? Can we agree on that?

10 MR. KOBIN: Object to form.

11 THE WITNESS: I did not put the plan --  
12 it doesn't look like I put the plan in place. I'm  
13 letting them know what the plan was.

14 BY MR. HUDSON:

15 Q. But you're relaying to them what the  
16 plan was for that particular case?

17 A. Correct.

18 Q. And then for the second, the tote that  
19 you talked about before that had been in the  
20 warehouse for about a week and hadn't been  
21 claimed, it also had hydrocodone-containing  
22 products. And then in the rest of the paragraph  
23 you're laying out or relaying to the head of  
24 compliance and your boss the plan to get that  
25 shipped out of the warehouse, too; right?

1           A. No. I'm asking if they can tell me how  
2 they should be handled.

3           Q. And then because you're laying out for  
4 them a recommendation what you think should  
5 happen; right?

6           MR. KOBIN: Object to form. Misstates  
7 the evidence.

8           THE WITNESS: No.

9 BY MR. HUDSON:

10          Q. At a minimum you're telling them you  
11 would sure like to see the product out of the  
12 warehouse by 10/5 so that you can avoid any issue  
13 with the scheduling change.

14          A. Agreed.

15          Q. Do you know whether or not those  
16 hydrocodone-containing products were, in fact,  
17 shipped from the warehouse that night? Do you  
18 have any recollection?

19          A. No.

20          Q. Do you know anything more about this  
21 topic than what we've talked about?

22          A. The topic of changing schedules?

23          Q. Yeah, this DEA inspection and then the  
24 plan for shipping these two hydrocodone-containing  
25 products.

1                   A.     No.    The conversion of the schedule,  
2                   yes.

3 (HBC-Bianco Exhibit 15 was marked.)

4 BY MR. HUDSON:

5 Q. We'll move to a new topic and hand you  
6 what I've marked as Exhibit 15. Exhibit 15 is a  
7 thick set -- it's a cover email with a set of  
8 attachments, and the subject of this email is All  
9 Policies for VAWD Reflected as of 5:00 p.m. Today.

10 Do you recognize Exhibit 15, Mr. Bianco?

11                   A. Flipping through it, they look like  
12 policies, but without having an opportunity to  
13 read them all.

14 Q. This is an email from Sara Green; right?

15 A. Appears to be, yes.

16 Q. And who is Sara Green?

17                   A.     Based on her signature, she was an  
18 executive secretary. I'm not sure.

19 Q. And she's then distributing this set of  
20 policies to a distribution group that includes  
21 yourself and others?

22 A. Yes.

23 Q. And she wrote down in the body of the  
24 email, "Good afternoon. Sorry for so many emails  
25 throughout the day. Attached are all final PDF

1 version policies for VAWD as well as the document  
2 retention policy and chart. If you have any  
3 questions, let me know."

4 A. Yes.

5 Q. Were you part of the group that reviewed  
6 these policies before they were put into final  
7 form?

8 A. On each specific policy, again, without  
9 having an opportunity to read them, I may have  
10 interacted on some of them, but I don't know  
11 without having an opportunity to review them all.

12 Q. What is VAWD?

13 A. Verified accredited wholesale  
14 distributor.

15 Q. And is that a certification that you can  
16 obtain?

17 A. I believe through NABP.

18 Q. Through NABP?

19 A. National Association of Boards of  
20 Pharmacy.

21 Q. And did the HBC warehouse ever get VAWD  
22 certification?

23 A. I don't believe so.

24 Q. Did the HBC warehouse ever apply for  
25 VAWD certification?

1           A. I'm not -- I'm not sure if we ever  
2 actually applied or not.

3           Q. Were you part of the effort to create  
4 these policies for VAWD?

5           A. I helped on some of the policies, but,  
6 again, without reading all of these, I'm not sure  
7 which ones I did or did not.

8           Q. Let's go back, if we could. For this  
9 purpose, I'll just use the Bates numbers that are  
10 in the bottom right, the Bates ending number. So  
11 go back, if you could, to Bates 629.

12           A. Is that this?

13           Q. Exactly. It's the HBC\_MDL.

14           A. What was the number?

15           Q. The ending number is 629.

16           A. Okay.

17           Q. And if you could, at the top it says  
18 Security Policy. Do you see that at the top  
19 right?

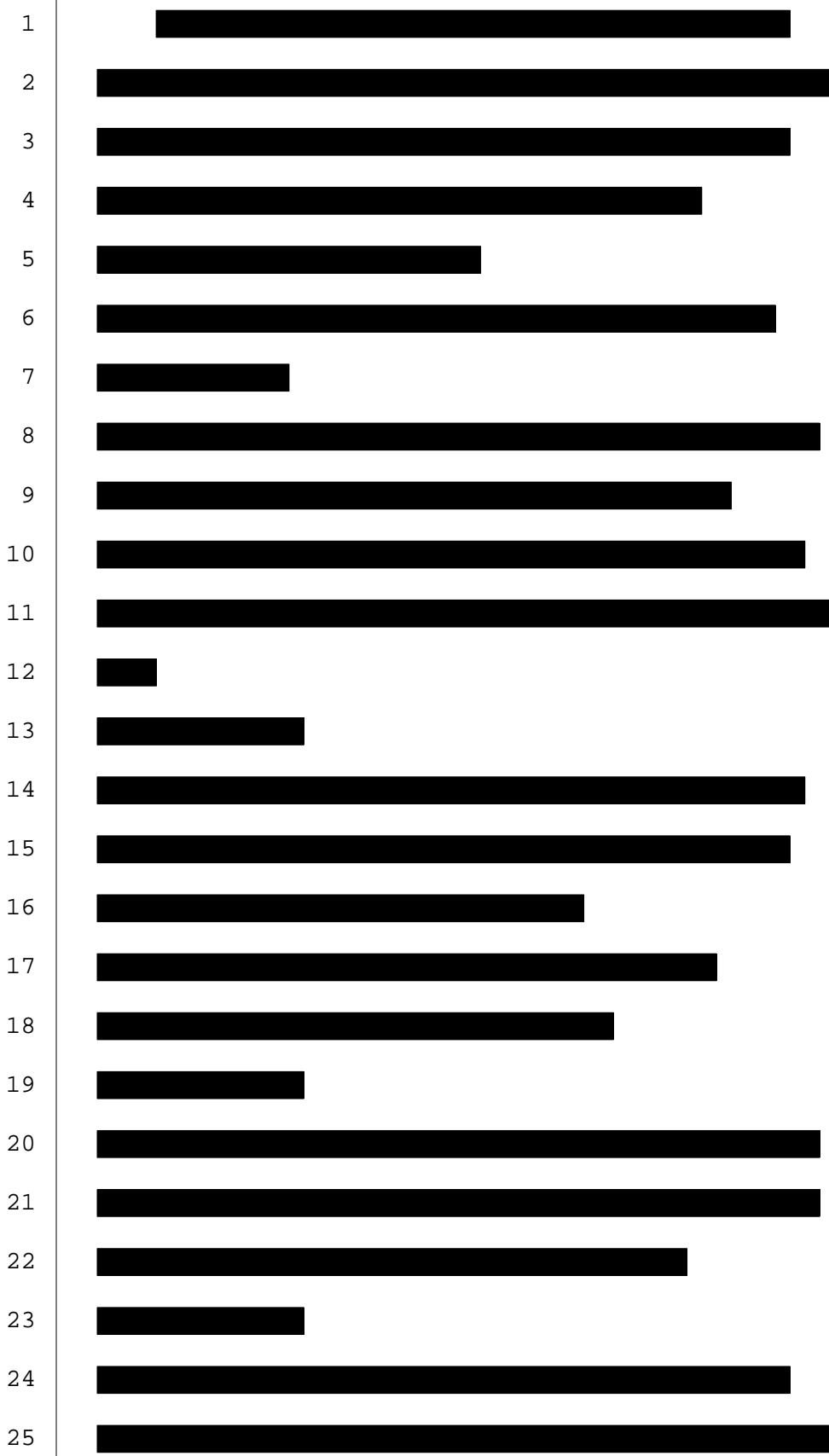
20           A. Yes.

21           Q. And then, if you could, do you see the  
22 table that's got two columns?

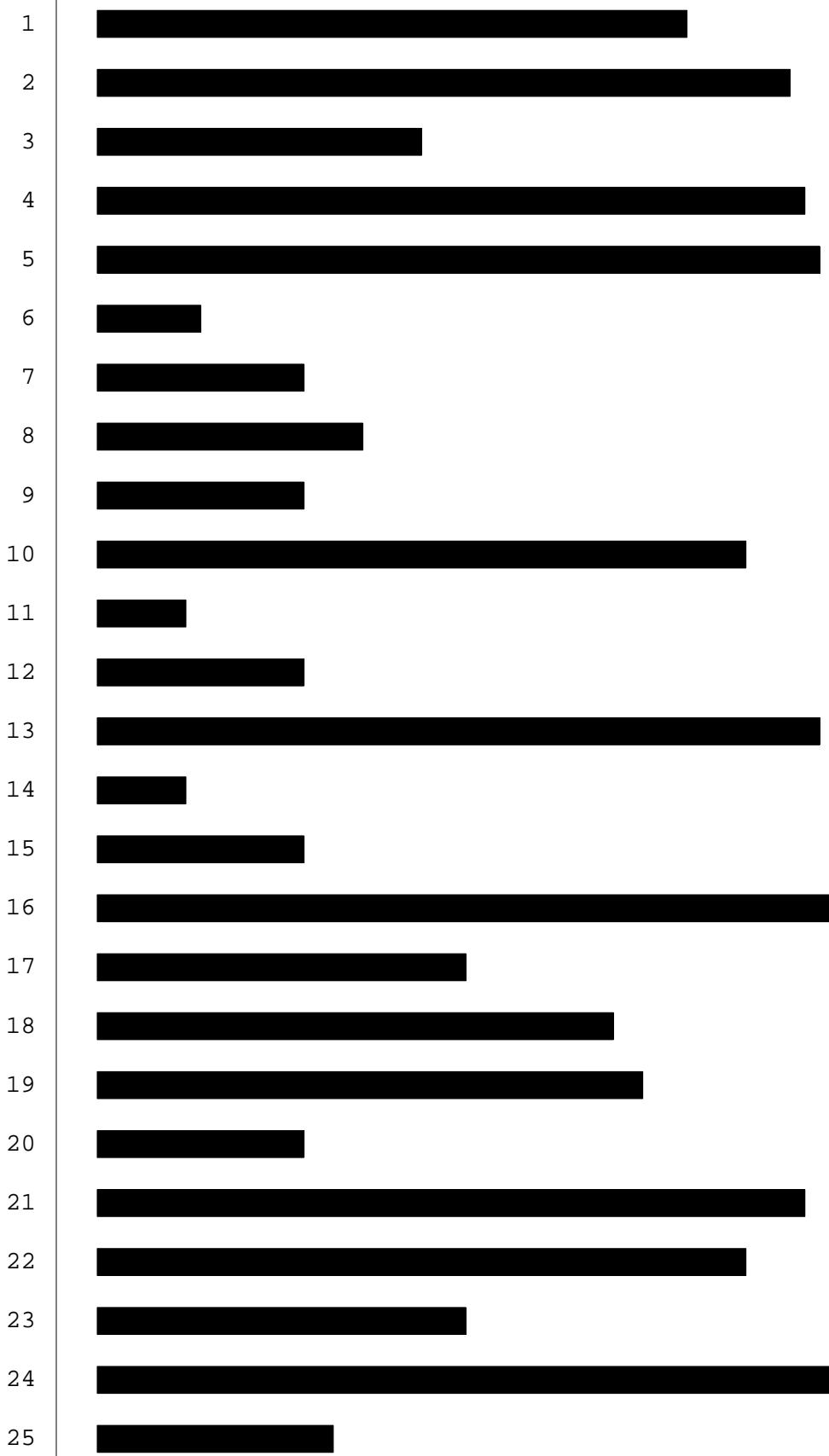
23           A. Yes.

24           Q. Explain to me, if you could, how to read  
25 that, if you know.

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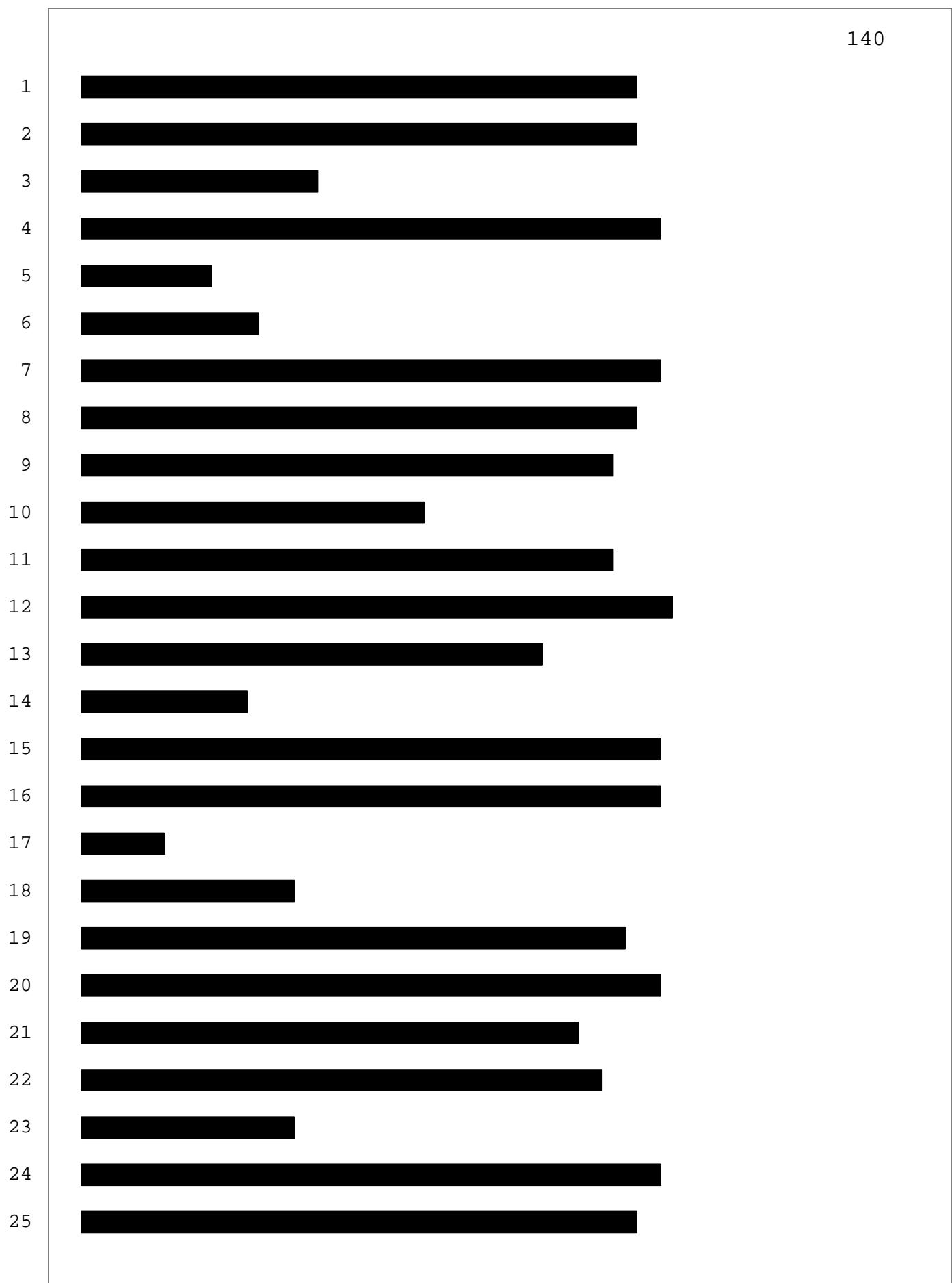


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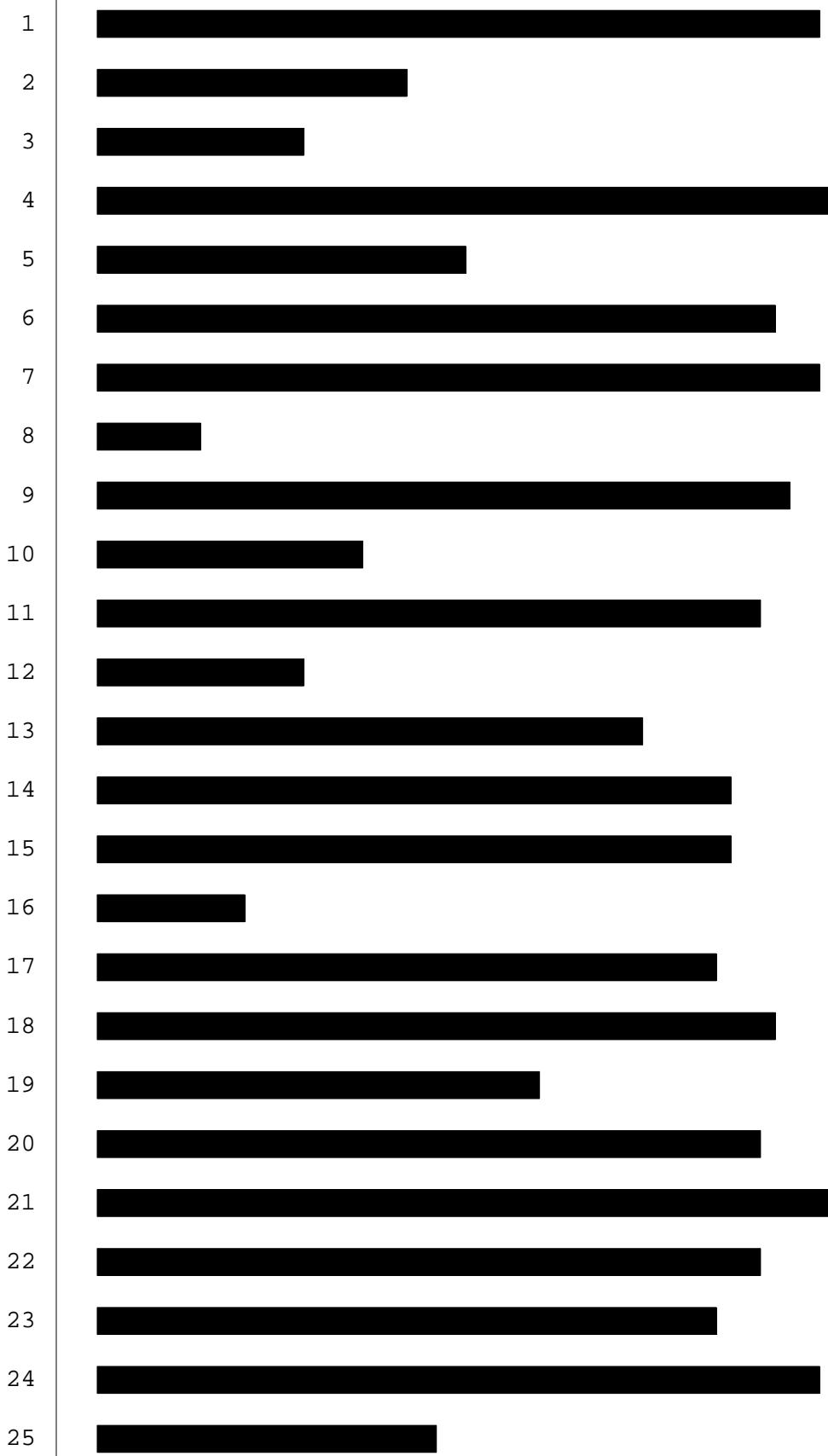
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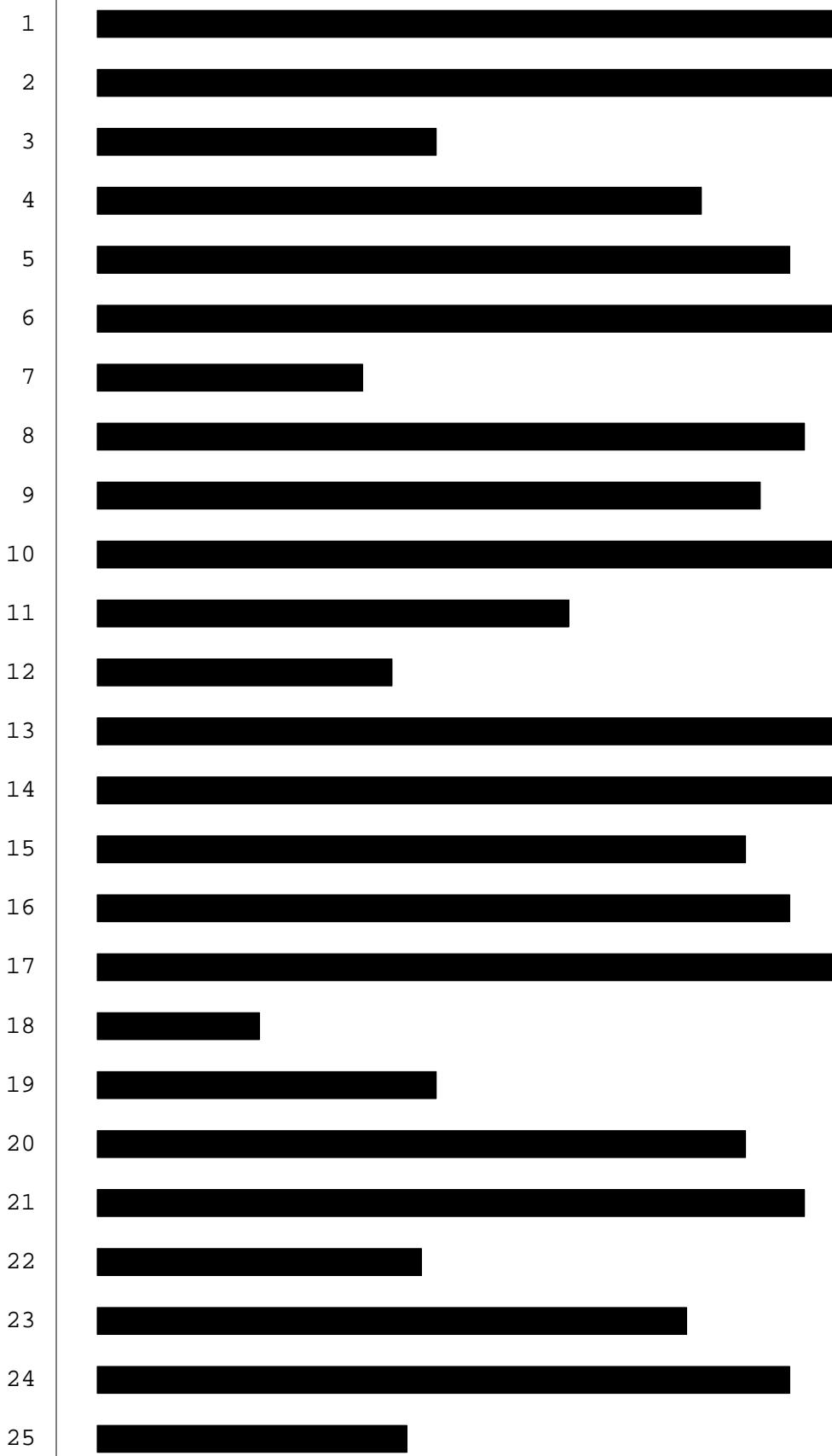
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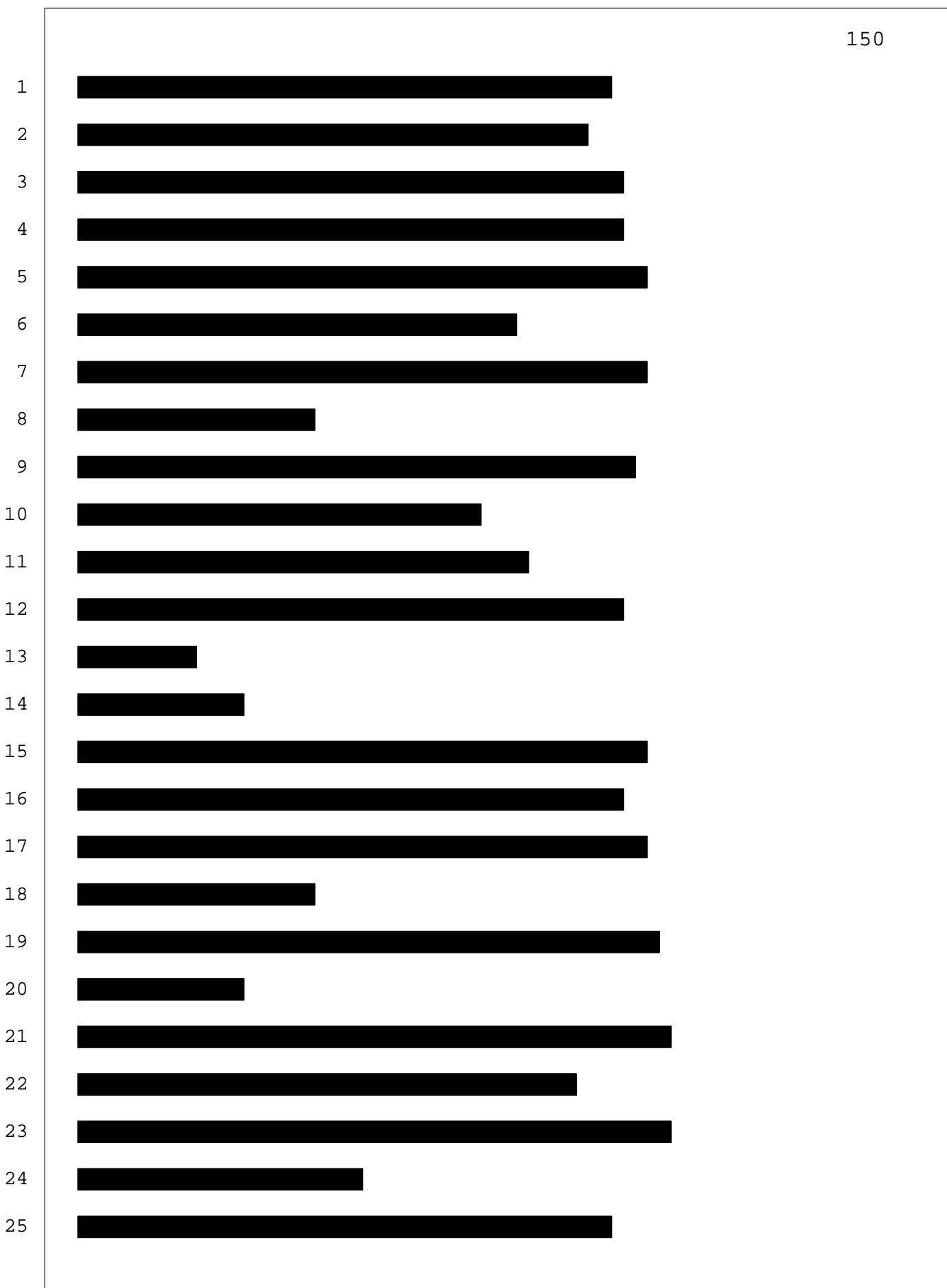
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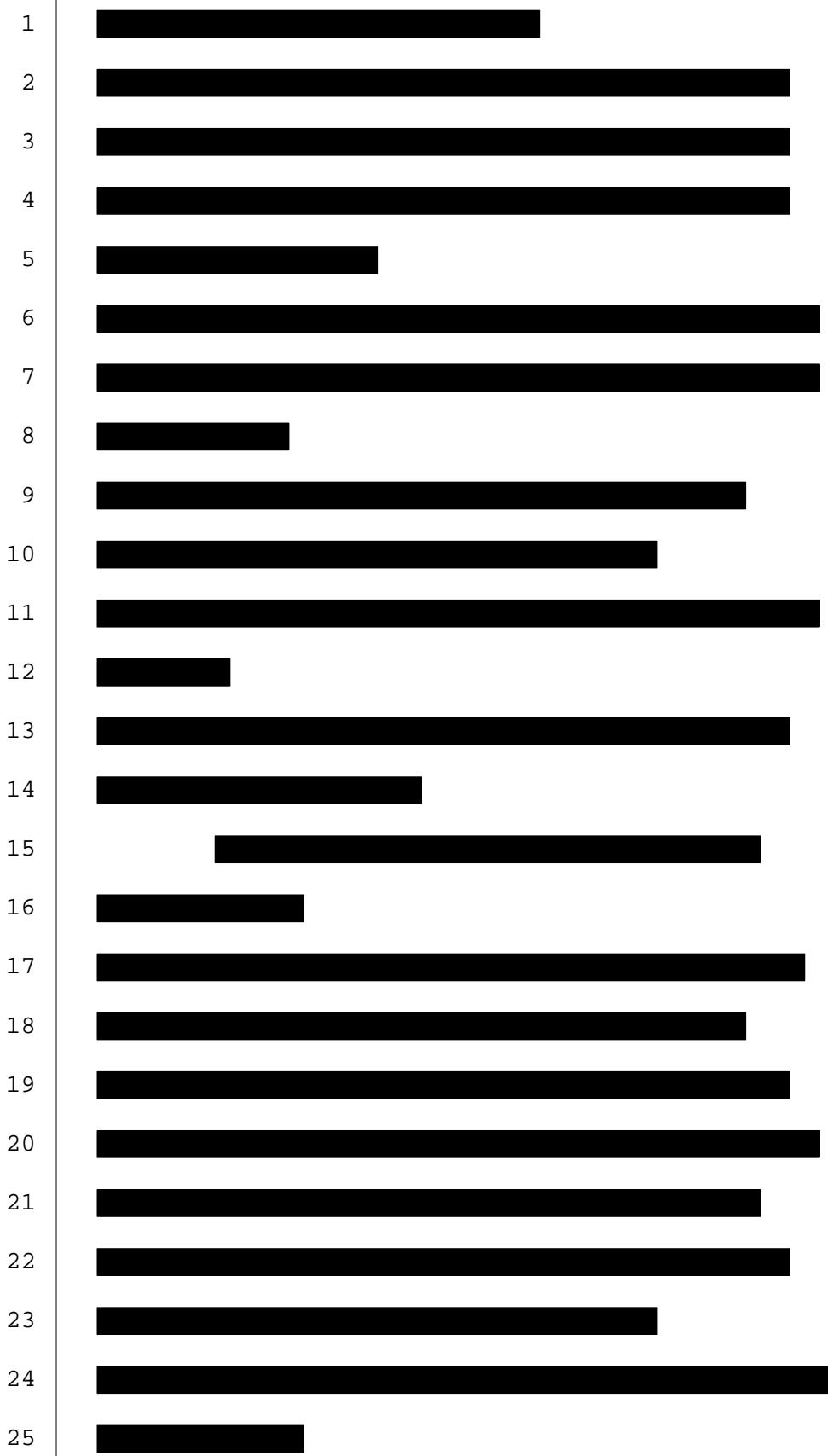
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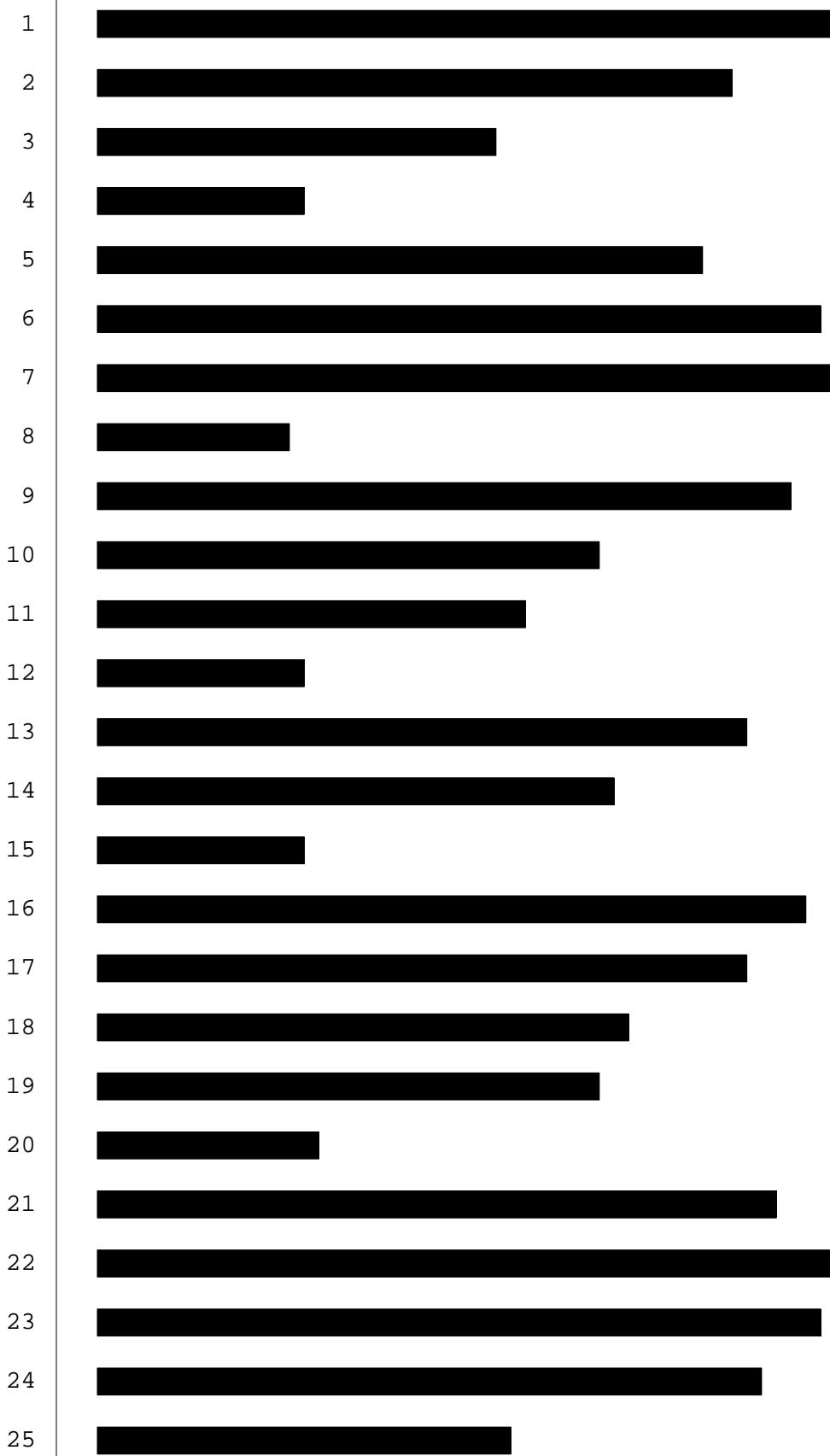




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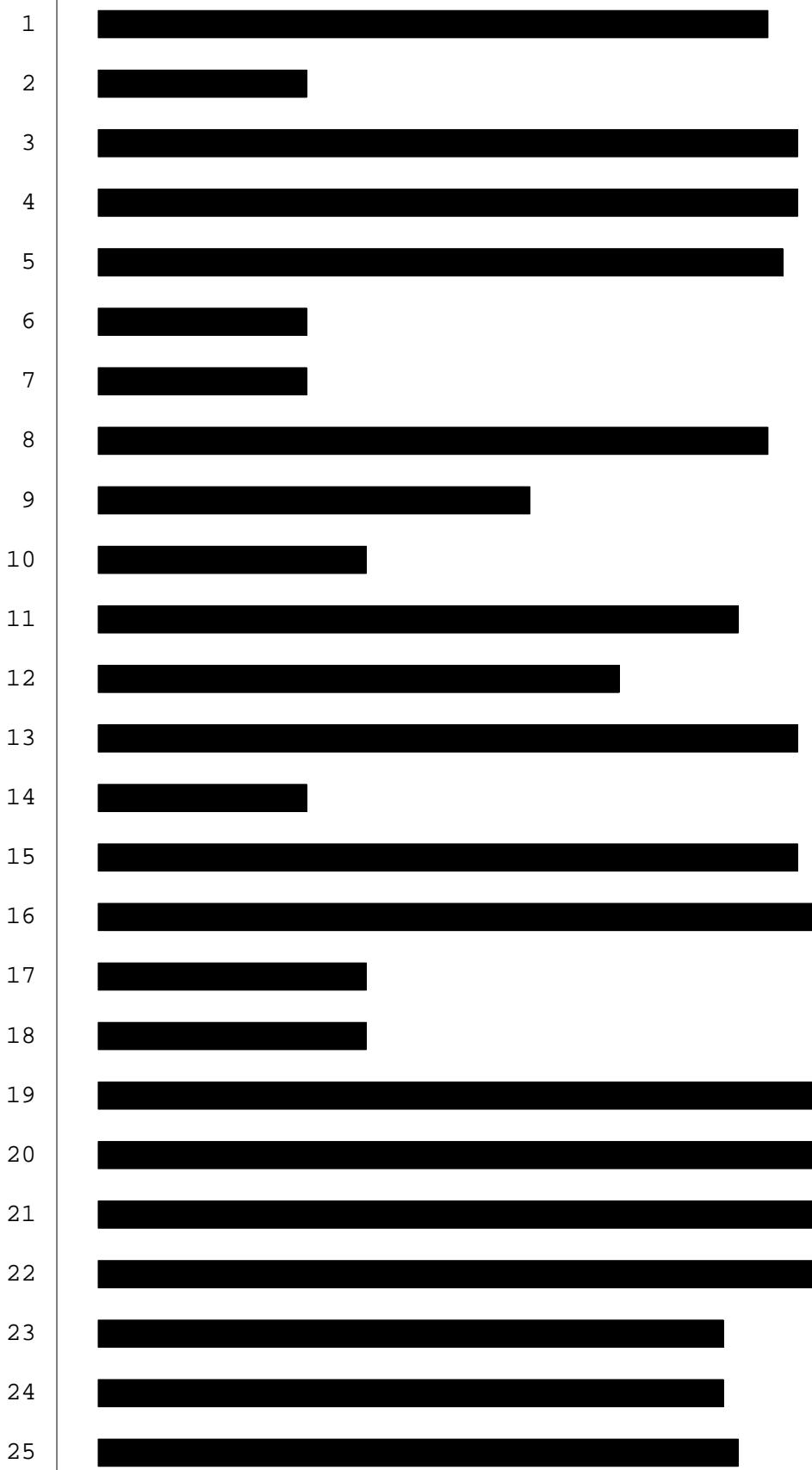
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15 Q. Fair enough. Do you have any sense of  
16 what the hydrocodone combination products volumes  
17 were in terms of dosage units or pills that were  
18 shipped by the HBC warehouse between November 2009  
19 and October 2014?

20 A. No. In 2009 I was still in school  
21 all the way up through, so no, up through 2013.

22 Q. Are you aware of any shipments of  
23 hydrocodone combination products that were flagged  
24 by the HBC warehouse as being beyond thresholds?

25 MR. KOBRIN: Object to form.

160

1                   THE WITNESS: I believe we saw an email  
2 earlier that stated that.

3 BY MR. HUDSON:

4                   Q. That one in the end, do you know what  
5 happened, whether or not that order was actually  
6 shipped or not shipped? That was the one relating  
7 to store 8; right?

8                   A. I think it was Exhibit 10 maybe.

9                   Q. I'm thinking maybe it was Exhibit 7.

10                  A. If it didn't state in the email, I don't  
11 know. I don't recall. If it states in the email,  
12 then I can read what was on the email.

13                  Q. And are you aware of any pharmacists  
14 that refused to fill prescriptions for hydrocodone  
15 combination products on the grounds that it was at  
16 risk of diversion?

17                  A. Specific examples you're asking?

18                  Q. Yeah.

19                  A. I don't know of any specific examples.

20                  Q. How about investigations of flagged  
21 orders of hydrocodone products other than the one  
22 that we talked about today in Exhibit 7?

23                  A. Am I aware of them?

24                  Q. Yes.

25                  A. Yes.

1           Q.    I mean, in other words, you're aware of  
2 specific investigations that occurred other than  
3 the ones that we've talked about today?

4           A.    Not specific examples, no.

5           Q.    Do you have any sense of the volume, in  
6 other words, the number of investigations that  
7 occurred?

8           A.    No.

9           Q.    Do you know who conducted the  
10 investigations?

11          A.    During which time period?

12          Q.    November of 2009 to October of 2014.

13          A.    I can only speak to the time when I  
14 was -- the only ones I'm aware of would be Joe  
15 Millward. And part of it is because I wasn't in a  
16 role that I knew was even in the corporate office.  
17 But Joe Millward, Rick Shaheen. And I know they  
18 had teams, but I don't know who necessarily was on  
19 those teams. George Chunderlik would have been  
20 another one, I think.

21          Q.    Do you know how many investigations that  
22 team conducted?

23          A.    No.

24                    MR. KOBRIN: Object to form.

1 BY MR. HUDSON:

2 Q. Do you know what criteria was applied in  
3 conducting those investigations?

4 MR. KOBRIN: Object to form. I think we  
5 covered all this stuff.

6 THE WITNESS: No.

7 MR. HUDSON: I don't think I have any  
8 further questions. He's just got a couple that  
9 will take probably ten minutes. Do you want to  
10 just knock those out?

11 MR. KOBRIN: Yeah. You want to just  
12 knock them out and do lunch?

13 MR. HUDSON: Yeah.

14 MR. KOBRIN: We'll probably have a  
15 little bit of cleanup I think. Actually, we  
16 should ask Mike. Do you want to take a break? Do  
17 you want to have lunch?

18 THE WITNESS: I'm okay.

19 MR. KOBRIN: Are you sure?

20 THE WITNESS: Yes.

21 Let's take a break actually. I'll use the  
22 rest room.

23 MR. KOBRIN: We'll take a very quick  
24 break.

25 THE VIDEOGRAPHER: The time is

1 12:44 p.m. We're going off the video record.

2 (Recess from 12:44 p.m. to 12:55 p.m.)

3 THE VIDEOGRAPHER: The time is

4 12:55 p.m. We are now back on the video record.

5 (HBC-Bianco Exhibit 17 was marked.)

6 EXAMINATION

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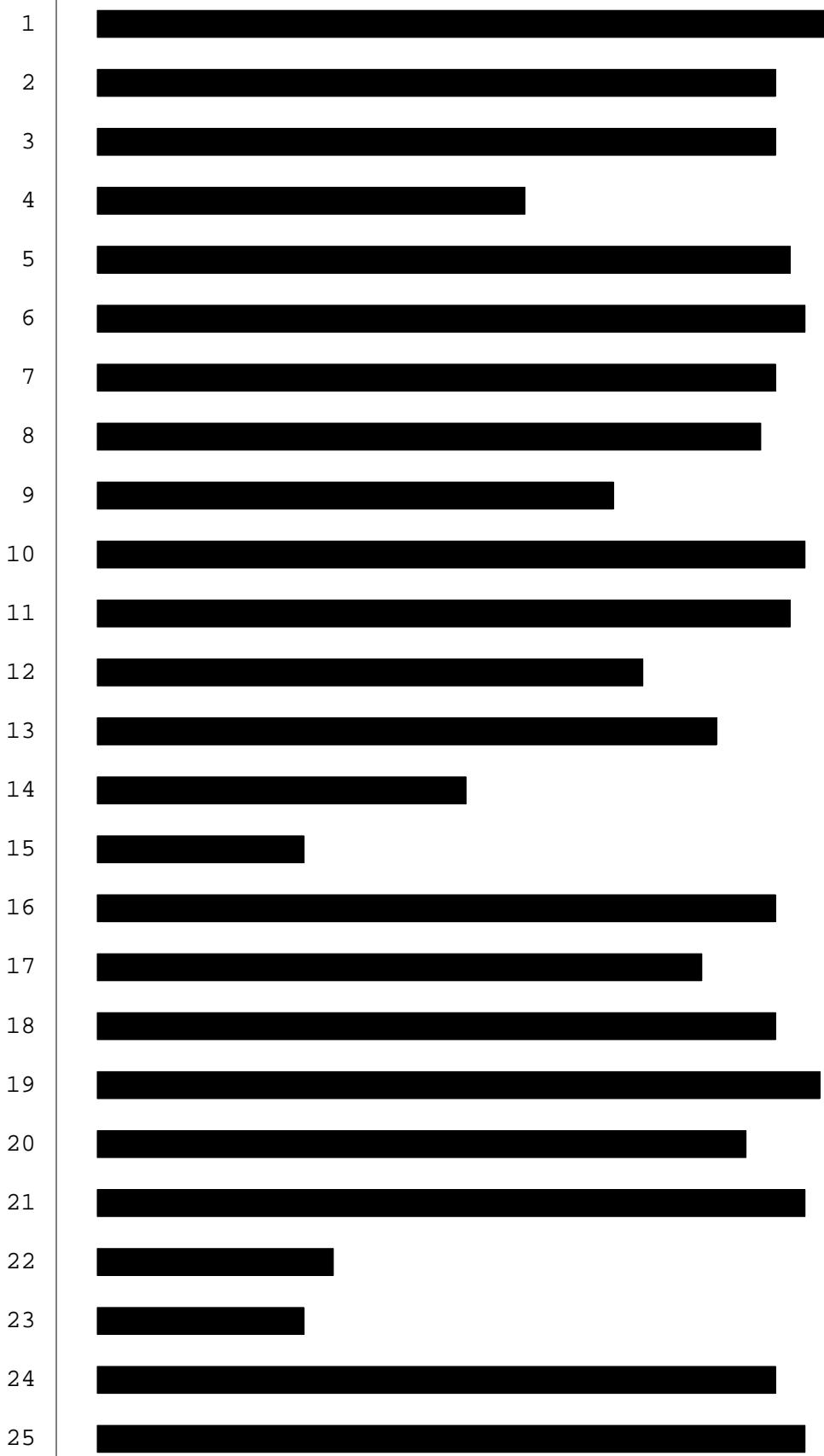
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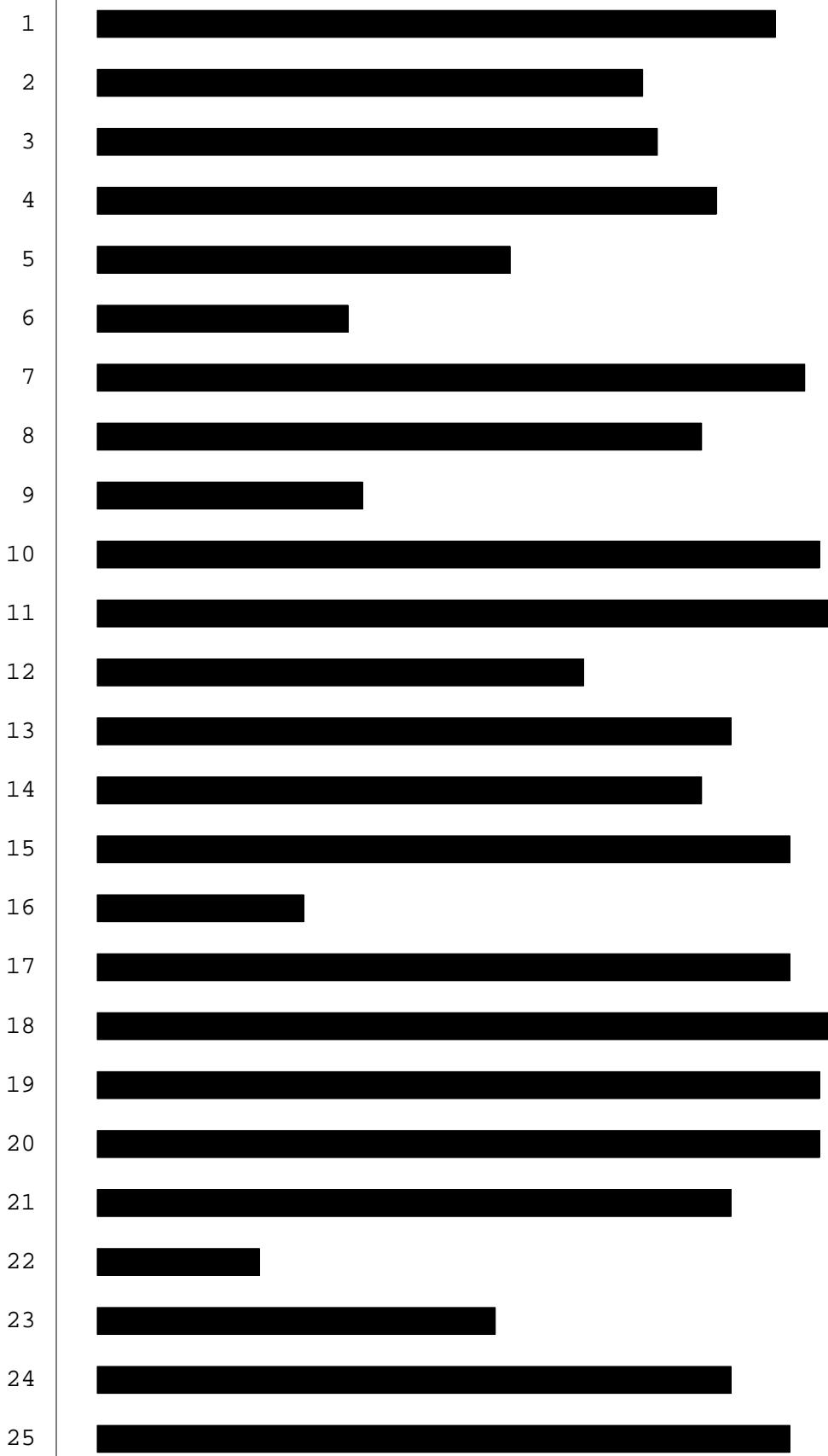
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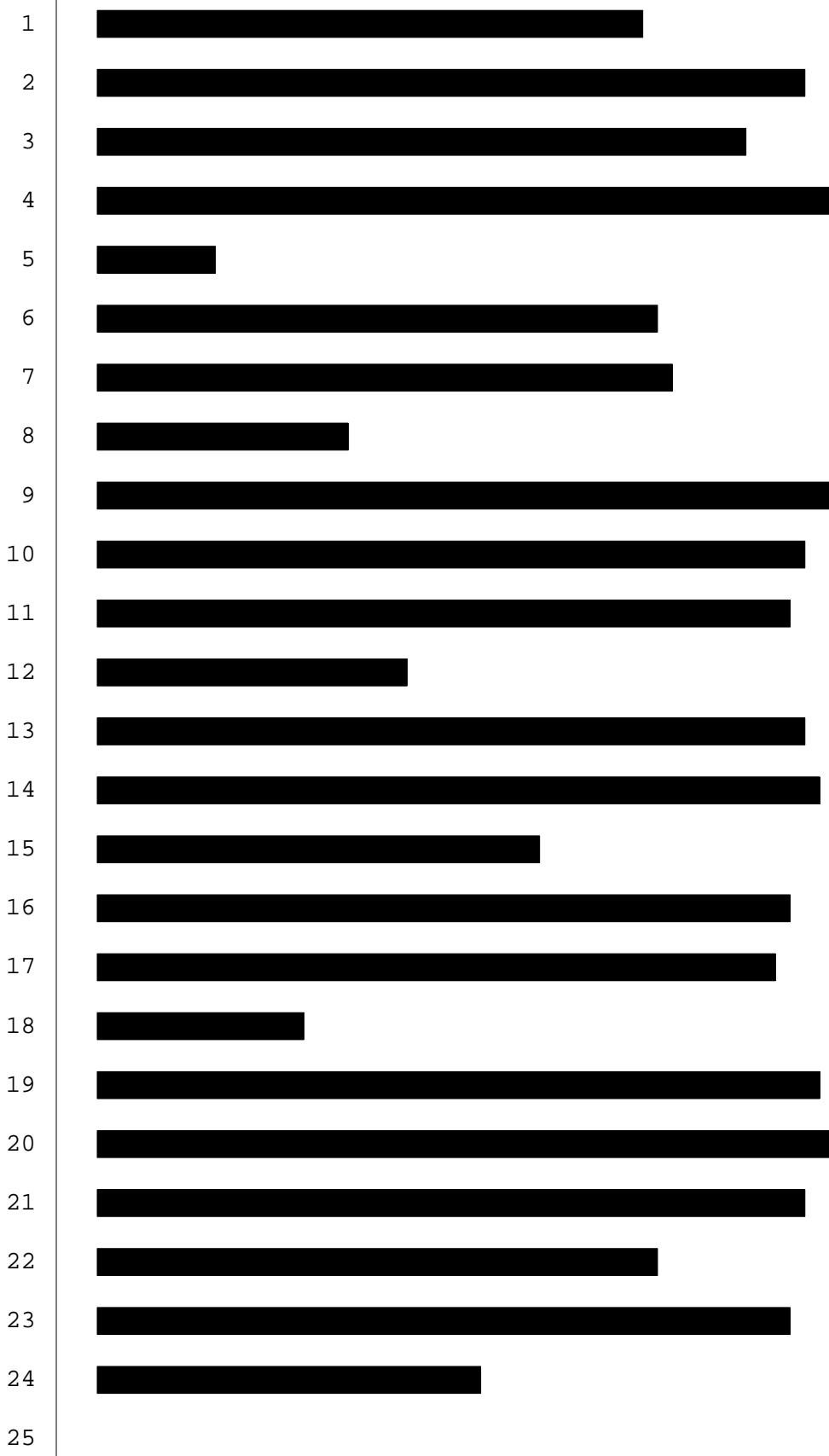
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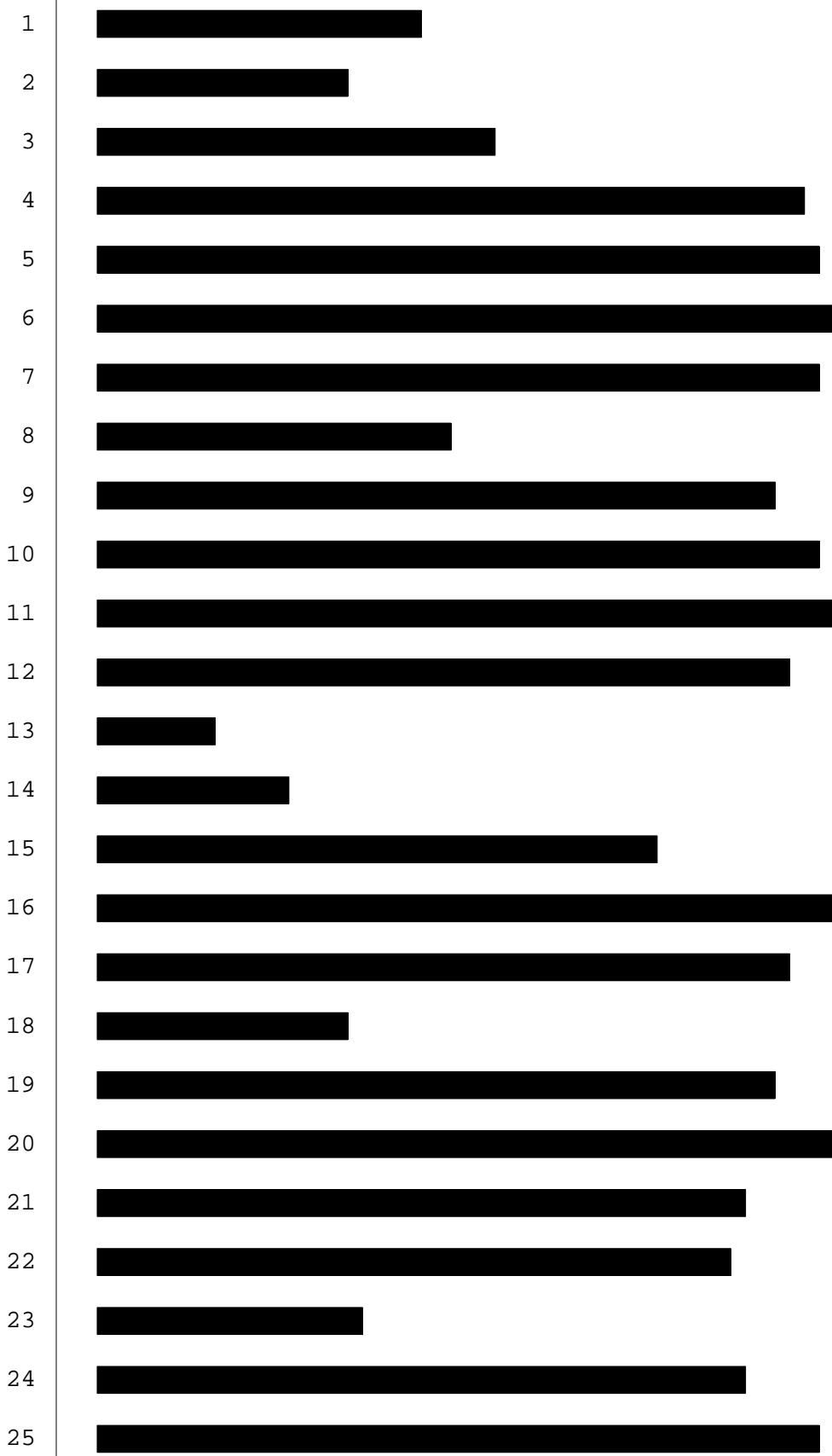
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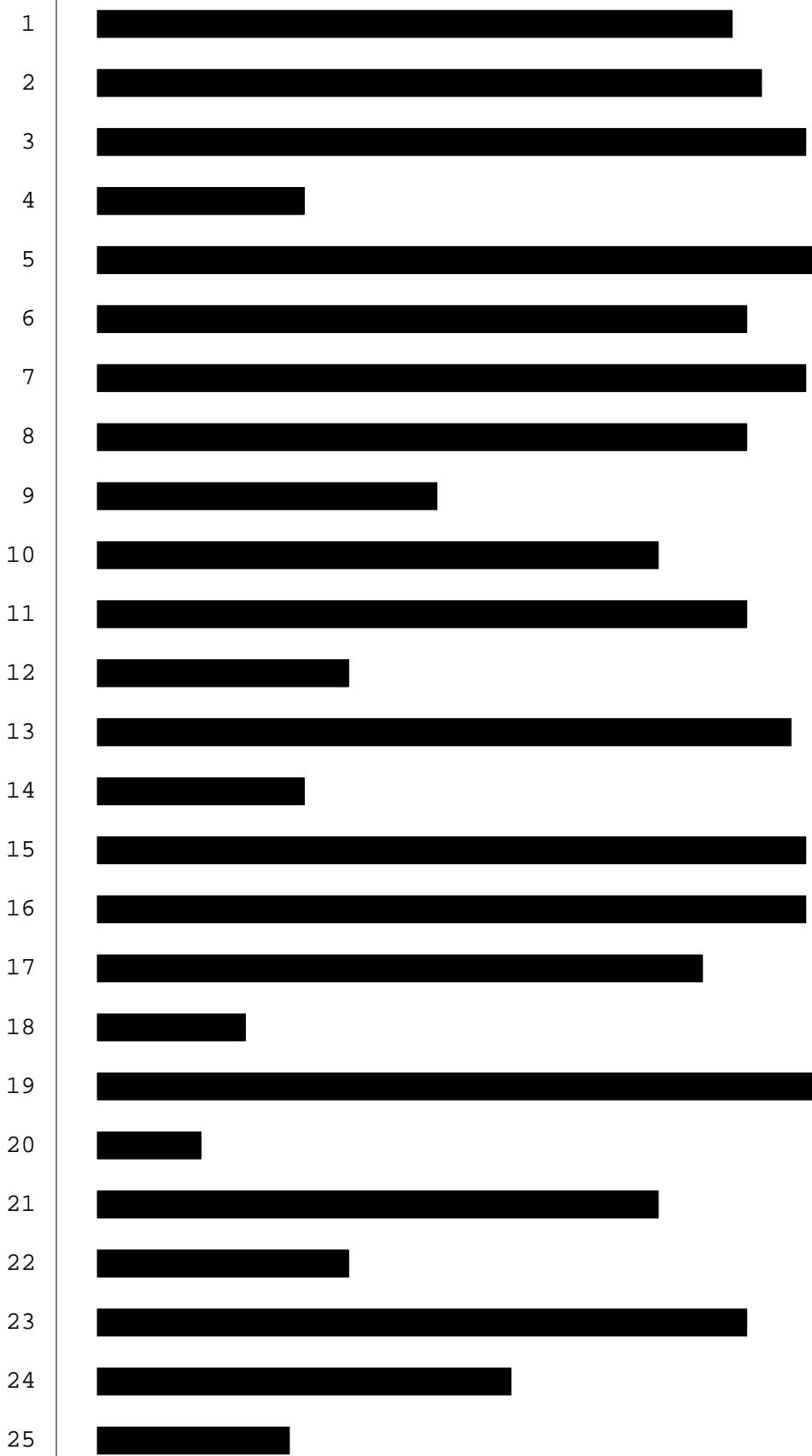
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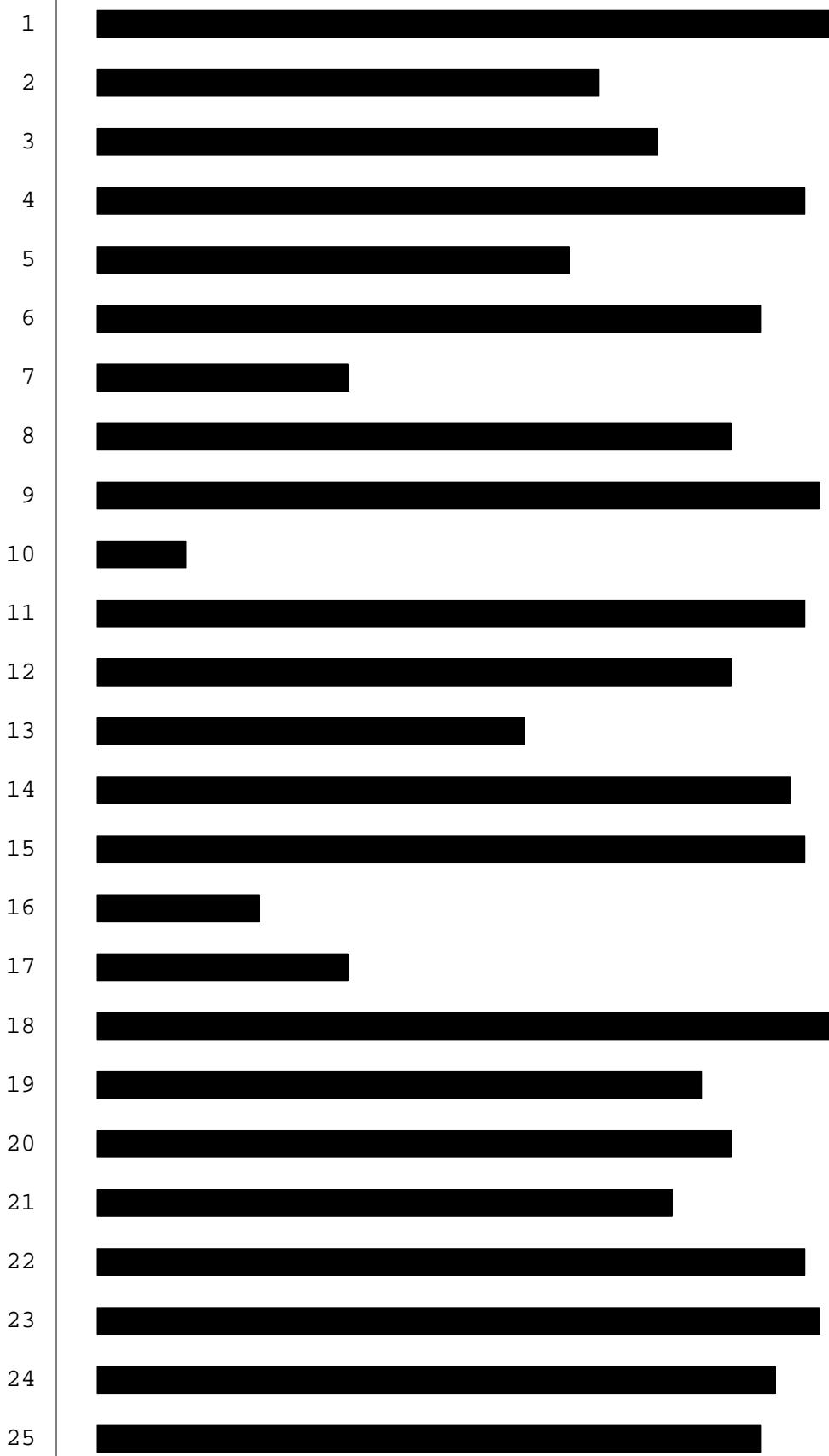
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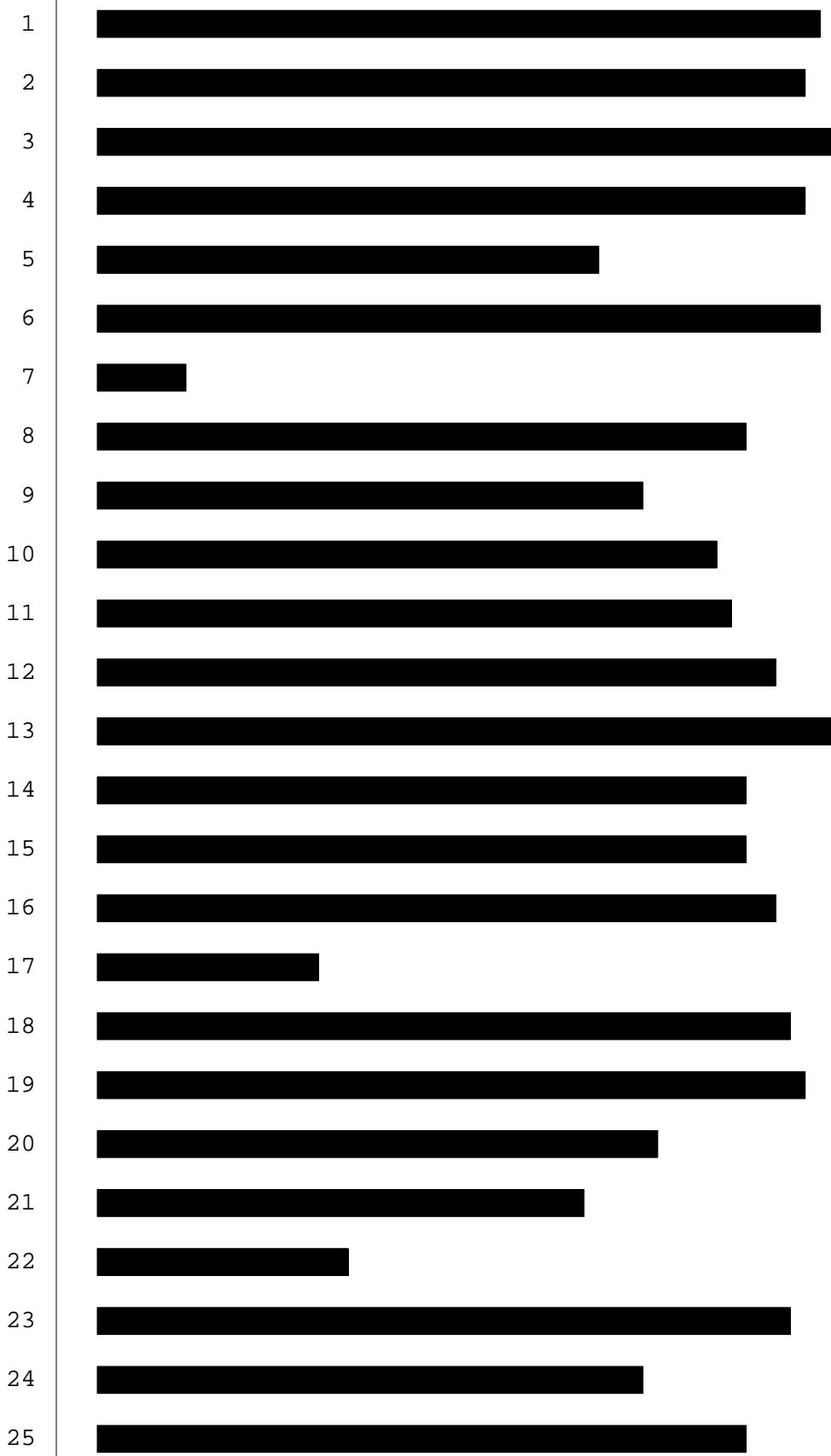
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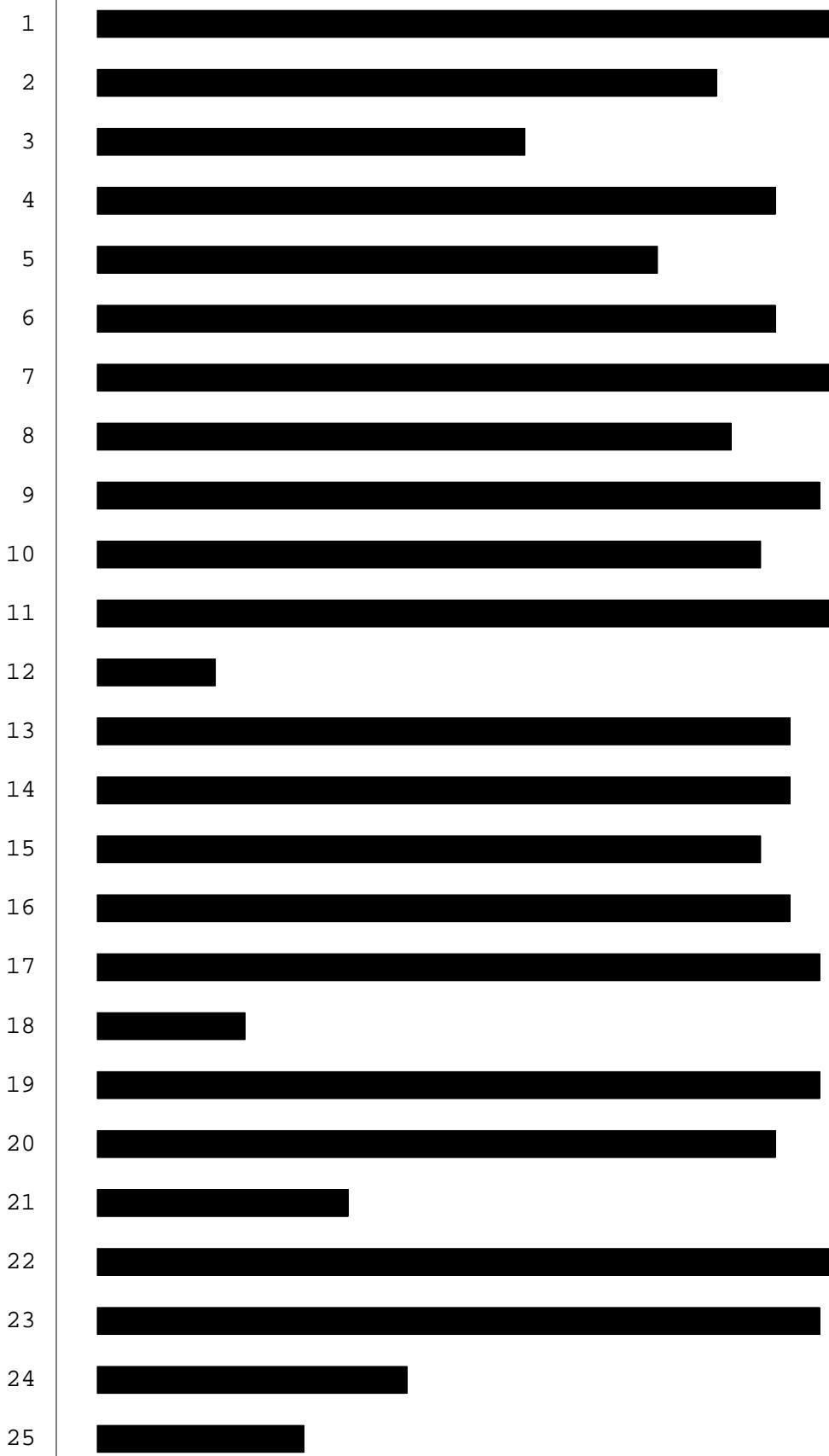
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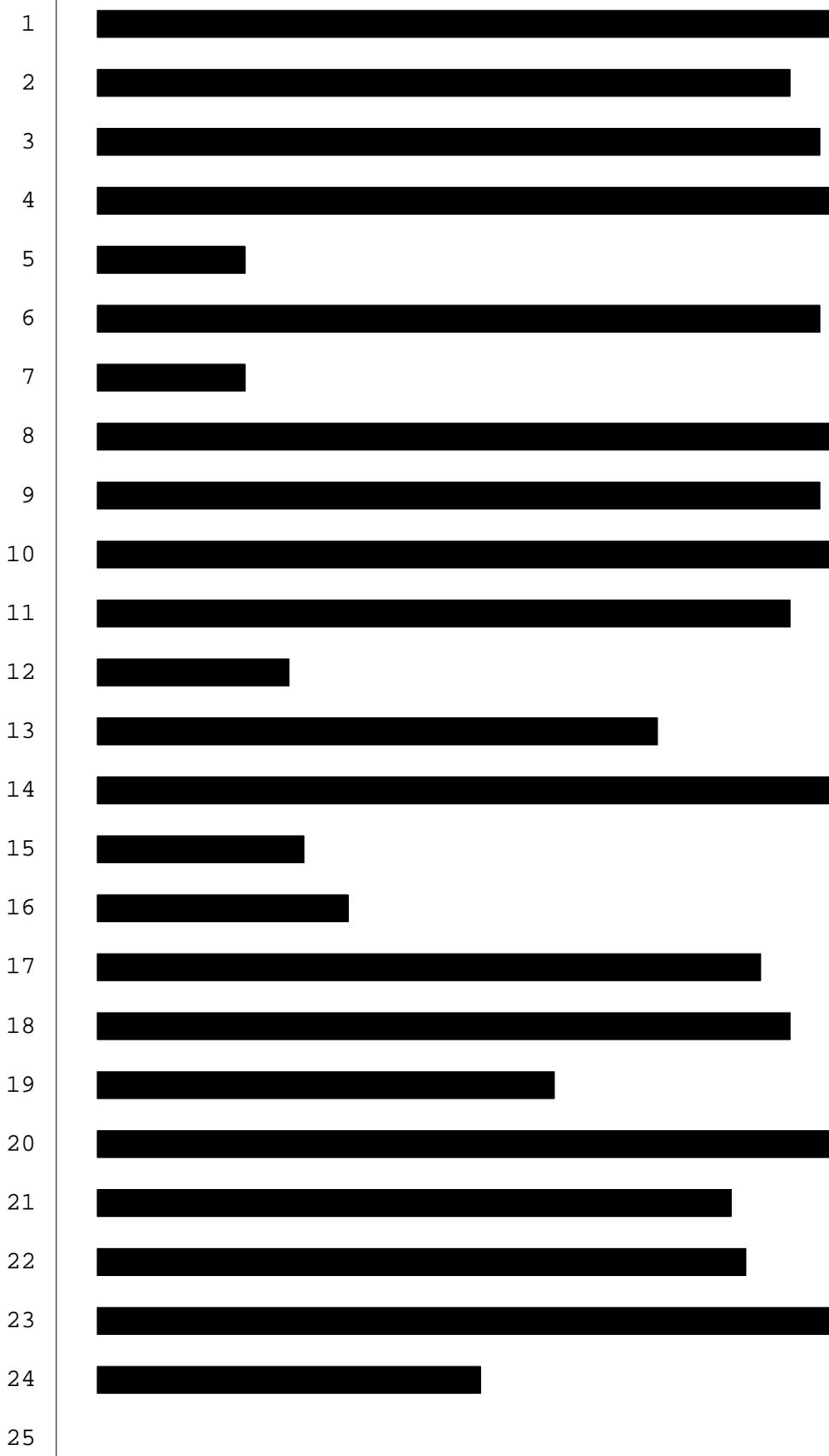
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3 THE VIDEOGRAPHER: The time is 1:24 p.m.

4 We're going off the video record.

5 (Recess from 1:24 p.m. to 2:13 p.m.)

6 THE VIDEOGRAPHER: The time is 2:13 p.m.

7 We're now back on the video record.

8 EXAMINATION

9 BY MR. KOBIN:

10 Q. Mr. Bianco, you spoke earlier today with  
11 plaintiffs' counsel about the Controlled  
12 Substances Act. Do you remember that?

13 A. Yes.

14 Q. In your education and in your career,  
15 have you studied the Controlled Substances Act?

16 A. Yes, not in detail, but highlights.

17 Q. And have you also looked at the  
18 regulations of the Controlled Substances Act?

19 A. Yes.

20 Q. Based on your knowledge and experience  
21 and education and your career, what is the central  
22 thrust of the Controlled Substances Act and its  
23 regulations?

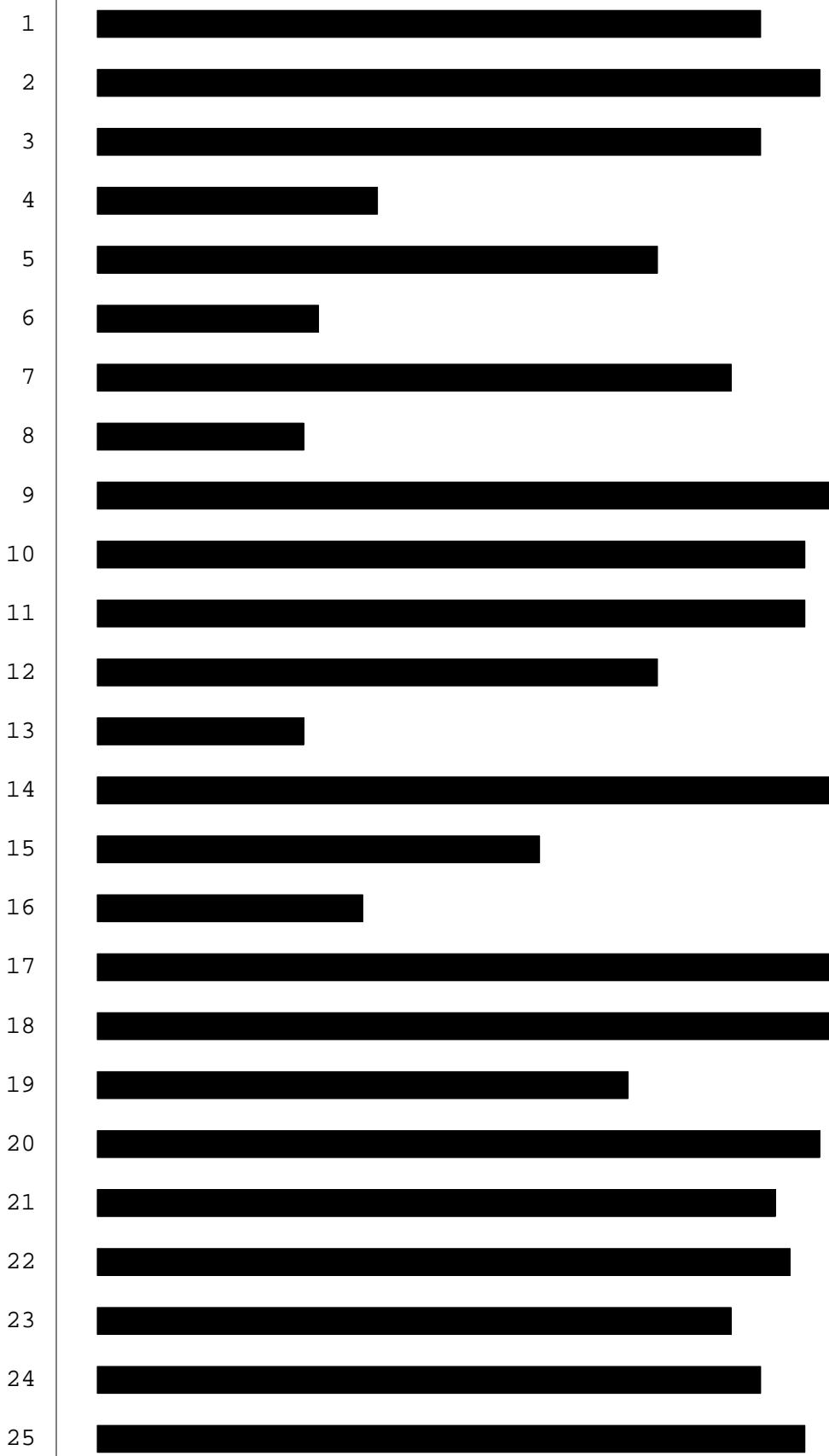
24 A. It's the security requirements, so a  
25 combination of different processes in place that

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1 would allow you to safeguard from theft or  
2 diversion.

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24 Q. So when was it that you passed your  
25 boards based on this email?

1                   A. April of '14, but I'm not sure of the  
2 date.

3 Q. A lot of the emails you looked at today  
4 then were prior to April of '14; is that accurate?

5 A. Yes.

6 Q. So you were not even a board certified  
7 pharmacist at that time?

8                   A.    Correct.   I was not licensed.

9 Q. So in some of these cases, were you a  
10 more junior person on these email threads?

11                   A.     I think on every email I was the least  
12                    senior member on them that we looked at today.

13 Q. Some of the emails that you read today,  
14 were you instructed by other people to send them  
15 or were you following instructions from more  
16 senior members of the Giant Eagle organization?

17 A. I presume, yes.

18 Q. That you.

## RE-EXAMINATION

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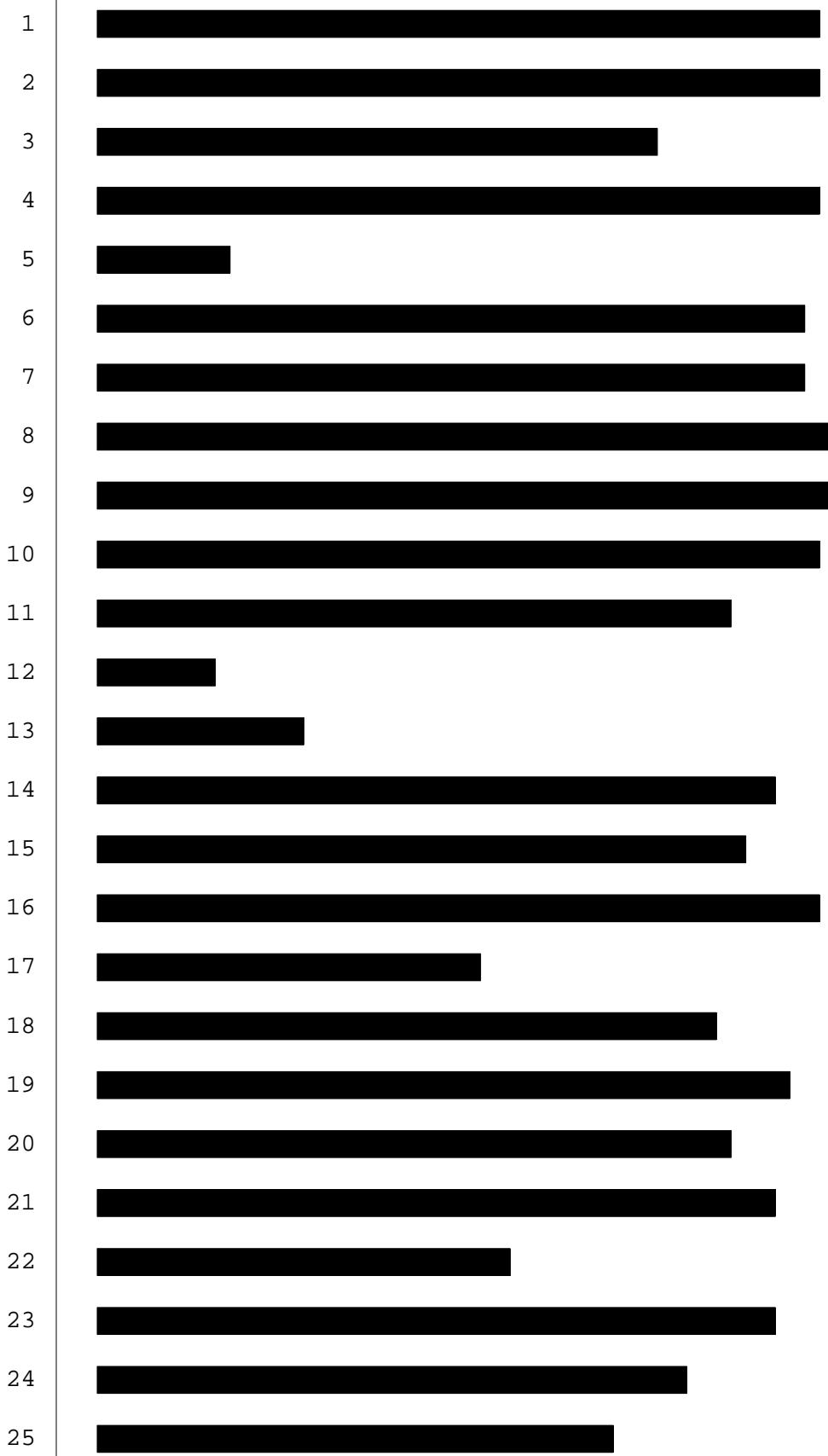
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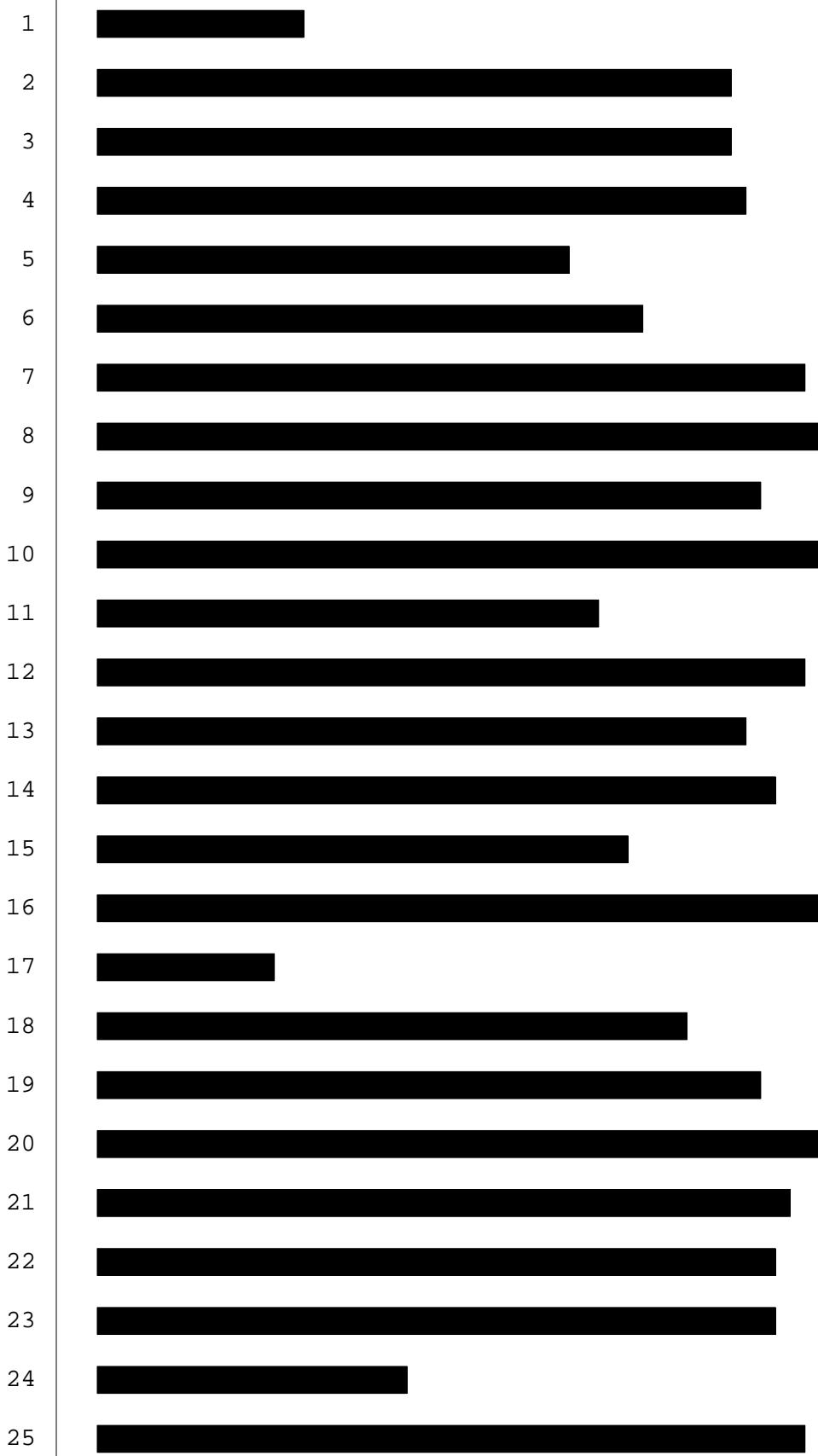
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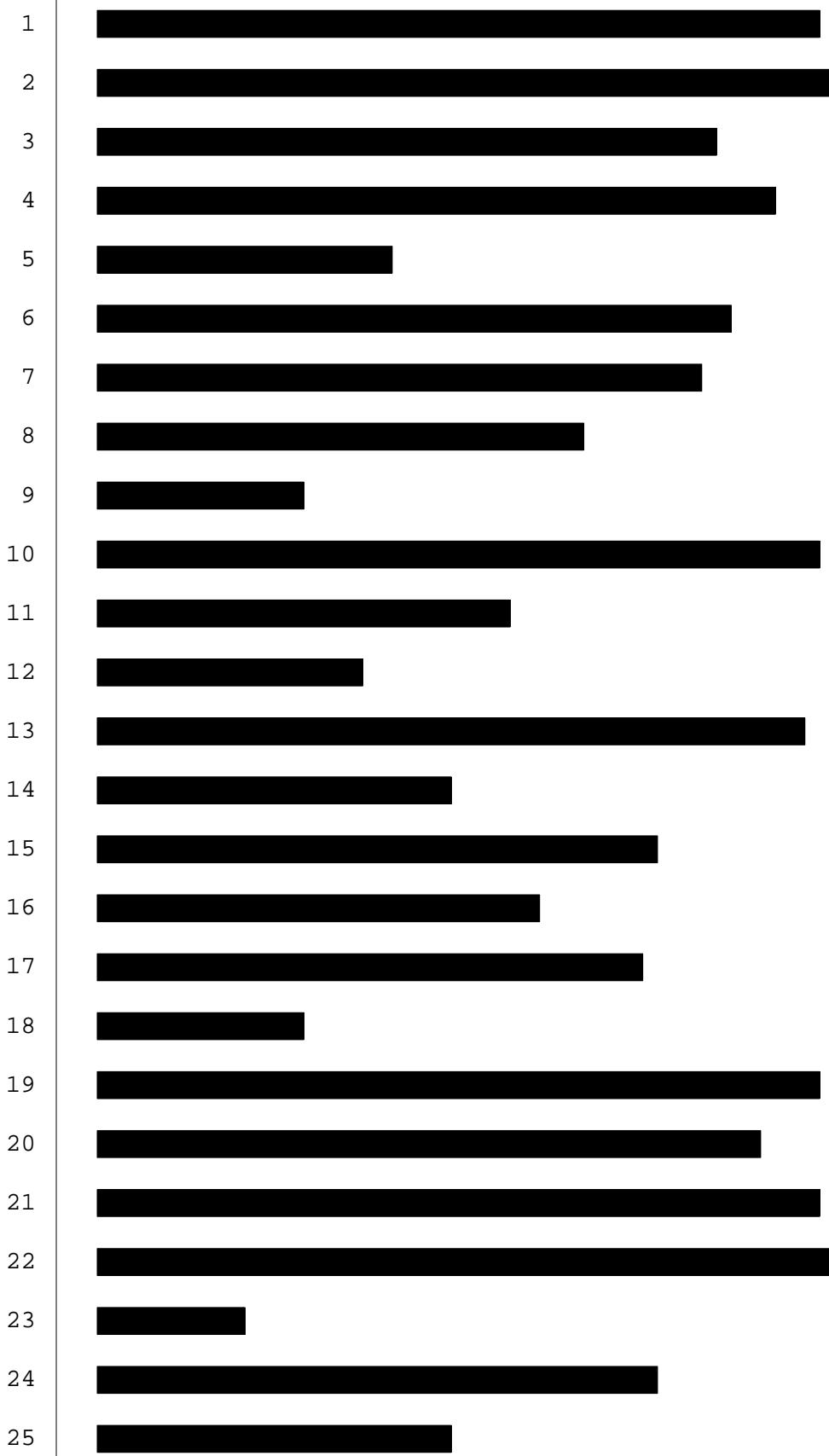
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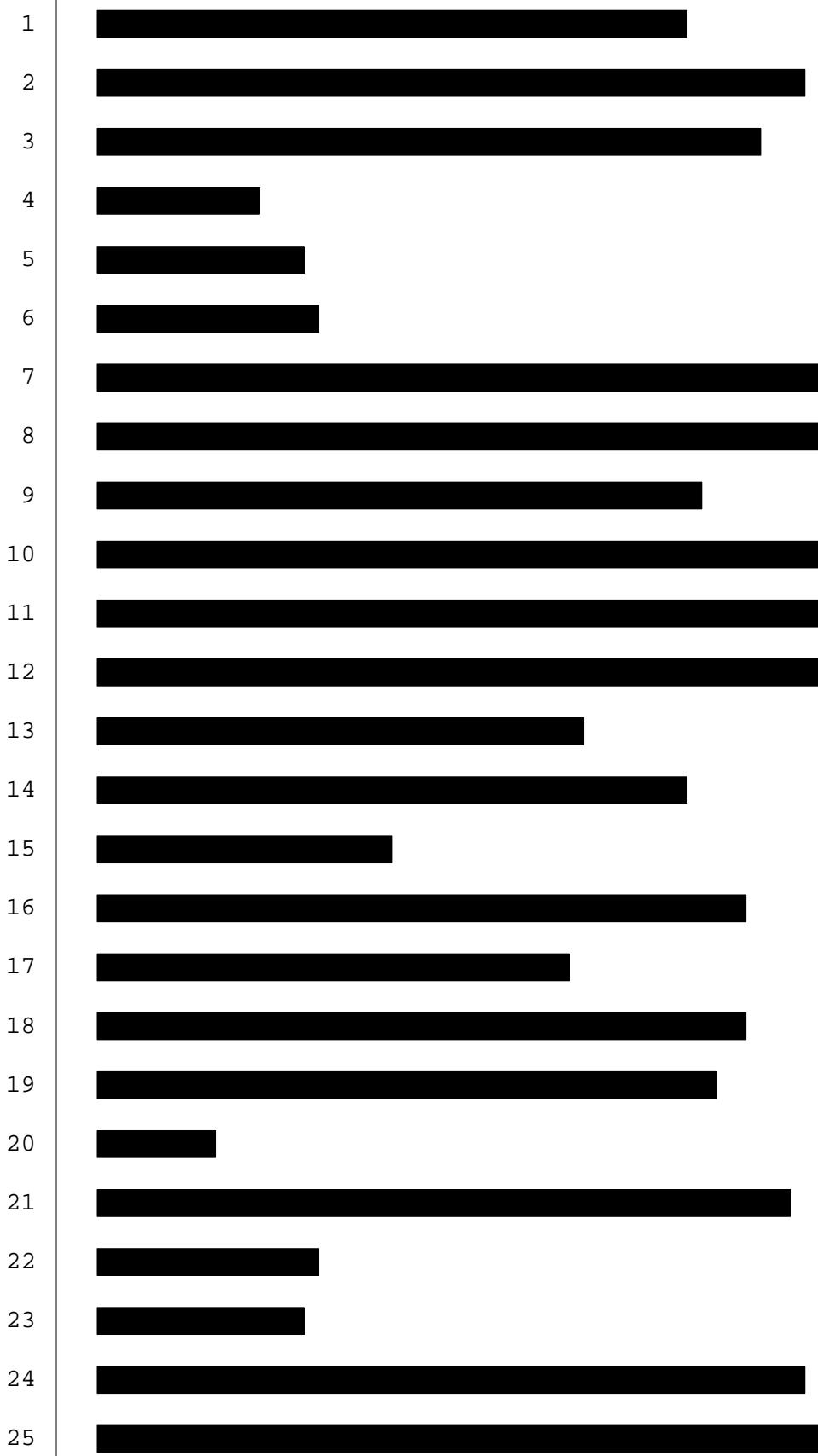
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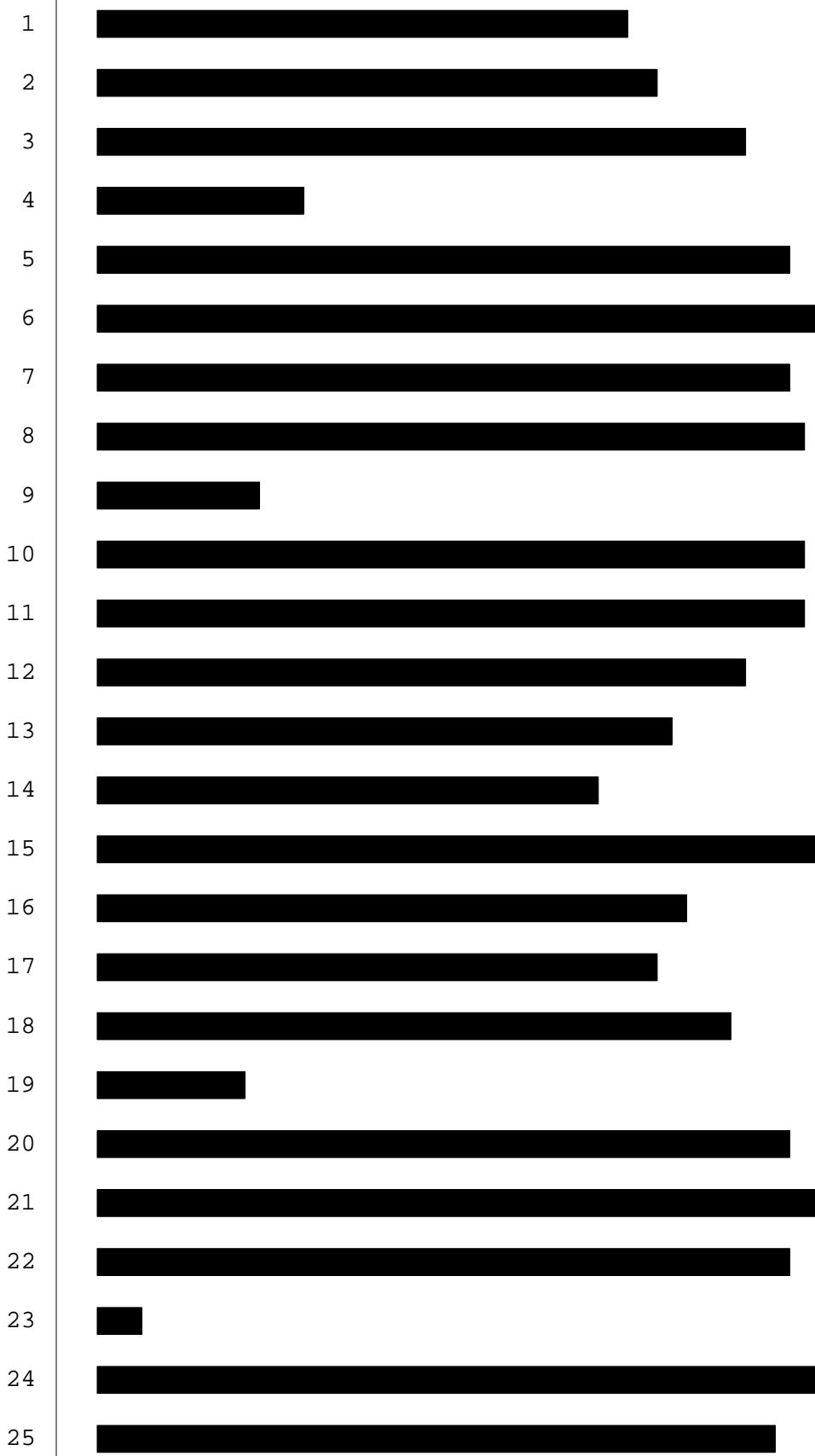
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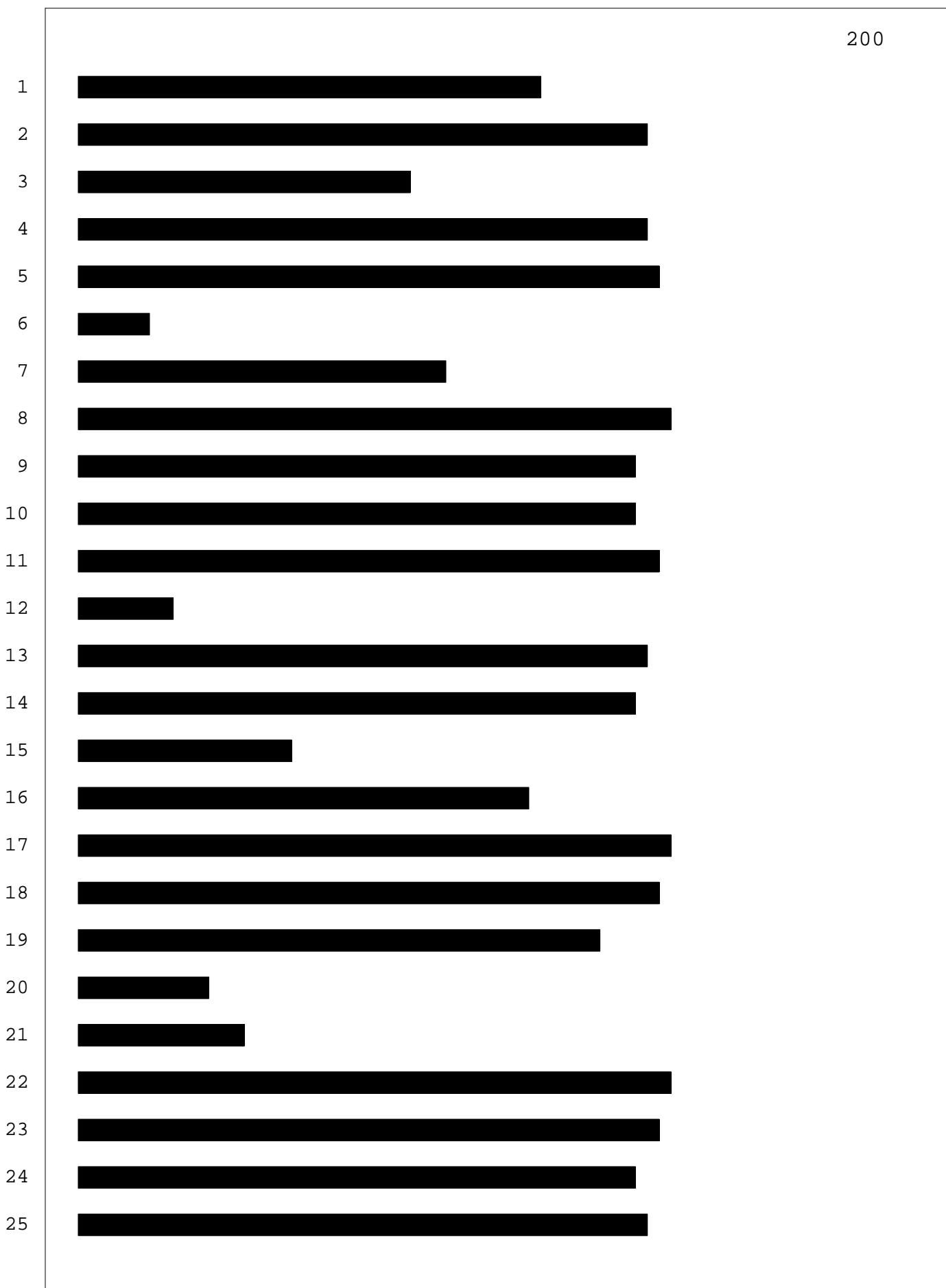
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23 MR. HUDSON: No further questions.

24 Thanks for your time.

25 THE VIDEOGRAPHER: The time is 2:30 p.m.

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1 This concludes the video deposition.

2 (Whereupon, at 2:30 p.m., the taking of  
3 the instant deposition ceased.)

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1 COMMONWEALTH OF PENNSYLVANIA )  
2 COUNTY OF ALLEGHENY ) SS:  
3

4 C E R T I F I C A T E

5 I, Ann Medis, Registered Professional  
6 Reporter, Certified Livenote Reporter and Notary  
7 Public within and for the Commonwealth of  
Pennsylvania, do hereby certify:

8 That MICHAEL BIANCO, the witness whose  
9 deposition is hereinbefore set forth, was duly  
10 sworn by me and that such deposition is a true  
11 record of the testimony given by such witness.

12 I further certify the inspection,  
13 reading and signing of said deposition were not  
14 waived by counsel for the respective parties and  
15 by the witness.

16 I further certify that I am not related  
17 to any of the parties to this action by blood or  
18 marriage and that I am in no way interested in the  
19 outcome of this matter.

20 IN WITNESS WHEREOF, I have hereunto set  
21 my hand this 23rd day of January, 2019.

22  
23 Notary Public  
24  
25

1 COMMONWEALTH OF PENNSYLVANIA ) E R R A T A  
2 COUNTY OF ALLEGHENY ) S H E E T

3 I, MICHAEL BIANCO, have read the foregoing  
4 pages of my deposition given on January 18, 2019,  
and wish to make the following, if any,  
5 amendments, additions, deletions or corrections:

6 Page Line Change and reason for change:

7 \_\_\_\_\_

8 \_\_\_\_\_

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18  
19 In all other respects, the transcript is true and  
correct.

20  
21 \_\_\_\_\_  
22 MICHAEL BIANCO

23 \_\_\_\_\_ day of \_\_\_\_\_, 2019.

24 \_\_\_\_\_  
25 Notary Public